

No SIM 

11:26 AM

④ 57% 



Brett >



OK. I got Chuck Davis
in Laurel ready to
come down and get
on the Lockers. He is

a cabinet builder and
does all the work for
Ben Napier on their
T.V. HOME TOWN.

Chuck can be
reached at
[REDACTED]

If

someone will give
him a call he will get
on it and I will pay for
the work. If you



Message



No SIM

11:27 AM

④ 57% 



Brett >

the work if you have time to meet him there one day! bet we would get a really good price. I am also going to reach out to Ponch and see if we can't get a fundraiser in Hattiesburg put together 



iMessage



**EXHIBIT
11**

No SIM

11:34 AM

@ 52% 



Brett >

Jan 12, 2019, 10:11 AM

Home About Photos Notes View

 Love  Comment  Share

 Phil Bryant

Yesterday at 3:39 PM · 

Don't forget the Season 3 premiere of Home Town, with Mississippians Ben and Erin Napier, comes on Monday night at 8:00 p.m.

We are proud of them for showcasing our great state on a nation scale.



114

18 Comments 9 Shares

Please retweet. Ben



Message





Brett >



114

18 Comments 9 Shares



9PM | 8PM (CT)

Please retweet. Ben helped us with the lockers for the Volleyball Complex. He and Erin's show in Laurel is doing great. Thanks brother.

You bet



EXHIBIT
12

No SIM 

11:37 AM

④ 51% 



Brett 



Jul 16, 2019, 4:56 PM

I'm on way and I'm
sure I won't have time
are privacy enough to
speak about this so I
want you to know
how much I love Nan-
cy New and John
Davis. What they
have done for me and
Southern Miss is

• .. , .. , .. , ..



Message



No SIM ☎

11:37 AM

④ 51% 🔋



Brett >



Southern Miss is amazing. Her family's first is incredible and she cares. We were planning to do work-shops and youth clinics in the new Vball facility with her families first kids. And also I paid for 3/4 of Vball facility and the rest was a joint project with her and John which was saving me 1.2 million. I



Message



No SIM 

11:38 AM

④ 51% 



Brett 

John which was saving me 1.8 million. I was informed today that she may not be able to fund her part. I and we need your help very badly Gov- ernor and sorry to even bring this up.

Her ideas for instilling leadership, work-shops for career de- velopment and youth entrepreneurship and



Message



No SIM 

11:38 AM

④ 50% 



Brett >



**sports programs and
held within Our vision
of the best facilities
possible at USM**

I will handle that...
long story but had to
make a change. But I
will call Nancy and
see what it will
take. 

Ok thank you very
much



Message



EXHIBIT
13

No SIM

12:15 PM

④ 35%



Nancy >



iMessage

Jul 16, 2019, 5:41 PM

Just left Brett Farve.
Can we help him with
his project. We
should meet soon to
see how I can make
sure we keep your
projects on course.

I would really appreciate having the opportunity to follow



Message



No SIM 

12:15 PM

④ 35% 



Nancy >

portunity to follow through with all the good things we are working on, especially projects like Brett's and Tim Bennett's. I can make myself available when you have time. I would really appreciate a little of your time soon.

I can do 4pm on Thursday.



iMessage



Nelson

12:15 PM

35%

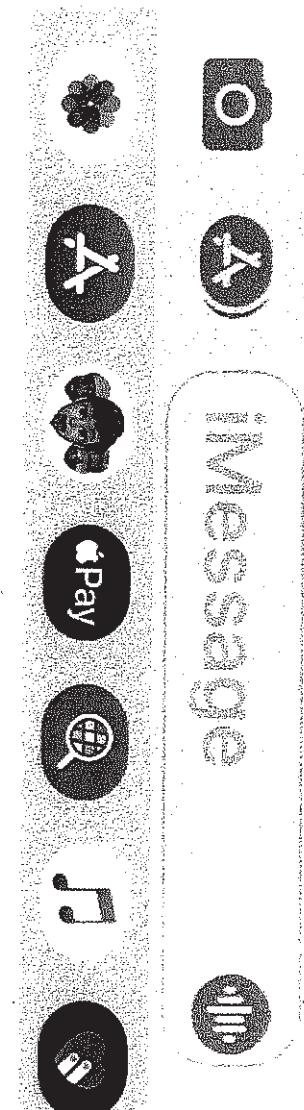
1

Nancy <

Thank you. I can be
there.

Ok. Thank you.

at the Mansion

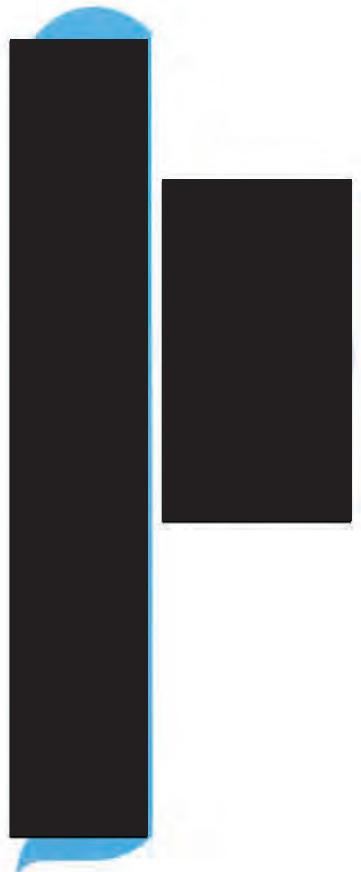


**EXHIBIT
14**

No SIM

1:07 PM

④ 16% 



Jul 18, 2019, 2:49 PM

Can you meet with
me and Nancy at
4pm at Mansion.

Yes sir, I was planning
on coming.



Jul 19, 2019, 11:15 AM



EXHIBIT
15

No SIM 

11:39 AM

④ 50% 



Brett >



Jul 18, 2019, 10:30 PM

Nancy said meeting
went very well.
Thanks again very
much

Jul 19, 2019, 8:07 AM

Working with her.
Lots of challenges
but we will do our
best



Message



EXHIBIT
9

No SIM

11:53 AM

42%



Chris >

iMessage

Jul 19, 2019, 8:14 AM

How is retirement?

Governor, great to hear from you! Retirement is fine. Although, I think I've been busier than a retired person is supposed to be. Ha.

I've been traveling to



iMessage

Chris

I've been traveling to a few conferences speaking about childhood trauma and the connection to juvenile justice. And as opportunities present, I try to make a few dollars so I can keep drinking over-priced coffee. Thank you for asking! I hope you and the First Lady are doing well.

No SIM 

11:53 AM

④ 42% 



Chris 

Lady are doing well.

All good here...I am
sure there are plenty
on Honey-Do things
on your list. 😊. May
give you a call later.
Have a Agency Director
position open at
Dept. of Human Services
that needs a
compassionate
leader. 😊

Unread +11 messages



iMessage

**EXHIBIT
17**

No SIM

1:09 PM

@ 15% 



Jul 22, 2019, 10:05 AM

Can we check with
Nancy New and see
what the contract
with Southern Miss is
all about. Brett is ask-
ing for info on the
proposed funding.

Yes sir.



EXHIBIT 18

No SIM 

1:09 PM

④ 15% 

Jul 22, 2019, 11:57 AM

Haven't hear



iMessage

No SIM ✉

1:09 PM

④ 15% 🔋

[REDACTED] Haven't hear from Nancy yet. We should connect this afternoon



Jul 22, 2019, 2:05 PM

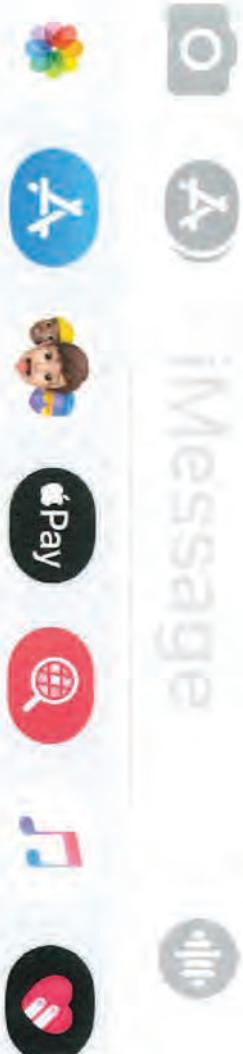
FYI, auditor's findings from year long audit.

The Department of Human Services



Human Services (DHS) was the subject of several significant findings in the report. The report notes that DHS

- Did not certify whether multiple childcare centers met health and safety standards
- Did not monitor recipients of several

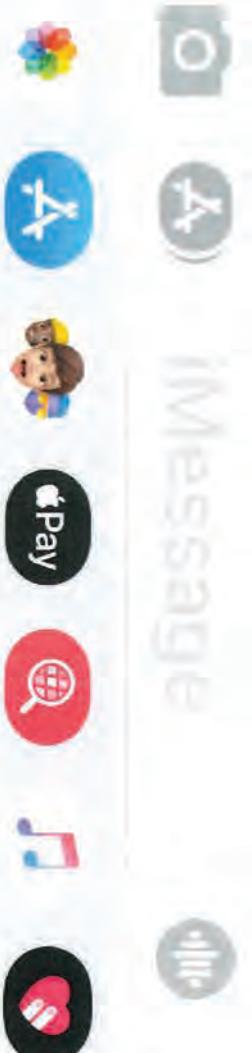


cipients of several grants to determine whether grant money was spent in accordance with the law

- Did not compile basic, required documents, like a comprehensive list of grant recipients
- Did not follow federal reporting guidelines, submitting some federal paper-

some federal paper-work nearly two years late

- Did not follow all legal requirements for ensuring beneficiaries of large programs like Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and Child Care and De-



[REDACTED]

Families (TANF), and Child Care and Development Fund (CCDF) were actually eligible for the programs

- And did not or could not ensure childcare centers receiving CCDF funds accurately counted children in the centers.

Several of these DHS



Several of these DHS findings have been repeatedly identified by the Auditor's office since 2014 with no corrective action completed.

Saw that.. was there a response from DHS?

I talked to Nancy. She said the program at

-
-
- ...



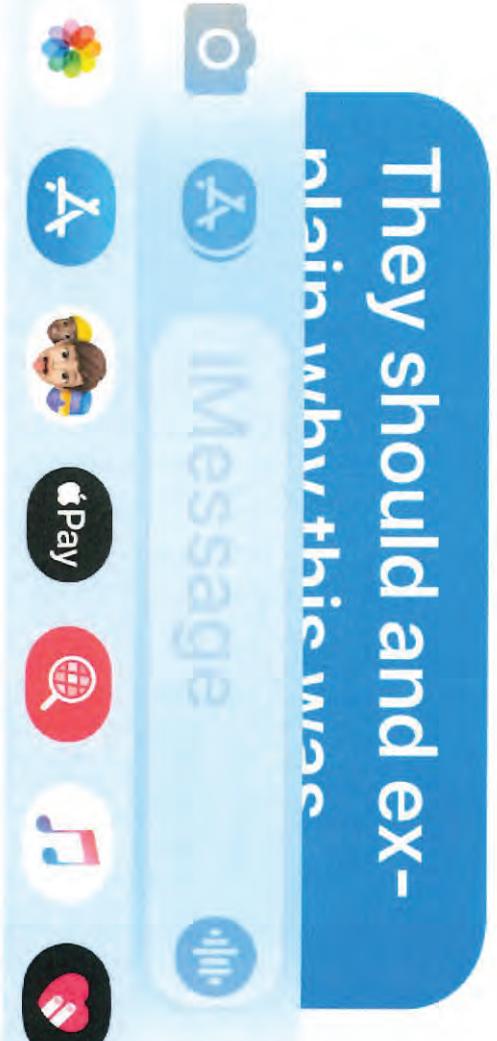
Message

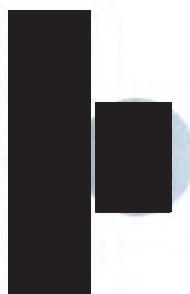


said the program at USM is a health and fitness program. The contract is with USM to rent buildings to put on this program. Brett volunteers his time. Nancy is getting a one pager.

Not yet. We think dhs
needs to respond.

They should and expect to be paid what this was.





needs to respond.

They should and explain why this was not corrected since 2014. Can we get Auditor to tell is if the USM Contract is proper?

I can certainly ask them.

If it proper then we should move ahead

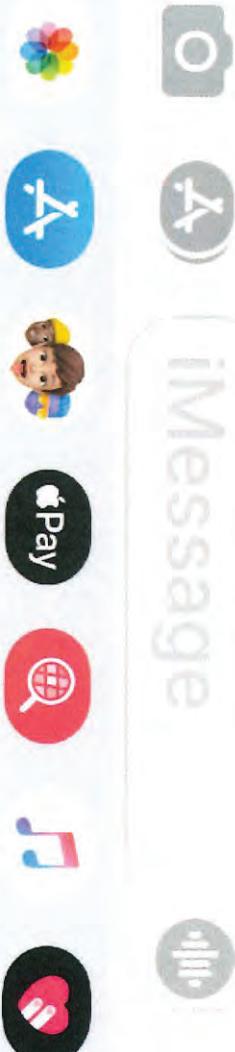


iMessage



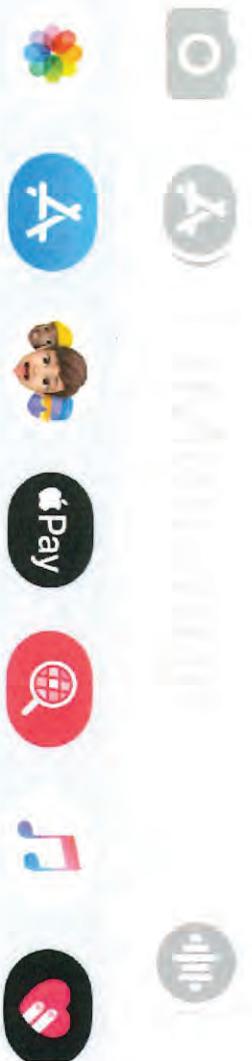
should move ahead since they are planning it to happen. Has Nancy heard any further from Auditor since Friday?

I don't think so but the auditor's office said they couldn't say they were done with Nancy yet. They think the John Davis, dibiasi investigation



unlink the John Davis,
dibiasi investigation
will take another
month or so to wrap
up. They haven't
found any additional
info since what they
reported 4 weeks
ago.

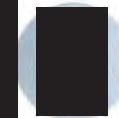
3 weeks ago*



No SIM

1:12 PM

④ 14% 



3 weeks ago*



Jul 22, 2019, 6:42 PM

SY 2018 OSA...

SY 2018 OSA...

















































































































































































































































































































STATE OF MISSISSIPPI
Phil Bryant, Governor
DEPARTMENT OF HUMAN SERVICES
John Davis
Executive Director

SINGLE AUDIT FINDINGS

June 6, 2019

Shad White, State Auditor
Office of the State Auditor
State of Mississippi
P.O. Box 956
Jackson, Mississippi 39205-0956

Dear Mr. White:

Enclosed for your review is the agency's official response and correlating corrective action plans to the Single Audit Findings in the Single Audit Management Report as outlined in the Mississippi Department of Human Services (MDHS) audit performed for the State Fiscal Year 2018:

SINGLE AUDIT FINDINGS:

ELIGIBILITY
Material Weakness
Material Noncompliance

CFDA Number 93.558 - Temporary Assistance for Needy Families State Programs

2018-045
Controls Should Be Strengthened to Ensure Compliance with
Eligibility and Benefit Payment Requirements of the Temporary
Assistance for Needy Families (TANF) Program.

MDHS Response: MDHS is in agreement that controls should be strengthened over compliance with eligibility and benefit payment requirements to the TANF Program.

Corrective Action Plan:

In order to strengthen compliance, the Division of Economic Assistance (EA) will conduct a ten percent (10%) review by supervisory employees of EA and by program specialists at approval (initial application and subsequent reapplications). Additionally, supervisory staff will review ten

percent (10%) TANF case actions at the time an action is taken. Said efforts are to ensure documentary files are accurate and complete.

In order to correct any discrepancies within current cases, a ten percent (10%) review of all open TANF and Transitional Service cases will be conducted. As a result of said review, any funds that are deemed to be an overpayment will be recovered in accordance with existing policy and procedures.

Training will also be conducted to ensure all employees of EA have an in-depth understanding of policy contained within Volume III and resulting procedures. The name of the contact person who is responsible for this corrective action plan is David Barton, Inspector General. The anticipated completion date for the corrective action plan is December 1, 2019.

SUBRECIPIENT MONITORING

Material Weakness Material Noncompliance

CFDA Number

10.551 - Supplemental Nutrition Assistance Program
 93.558 - Temporary Assistance for Needy Families State Programs
 93.667 - Social Services Block Grant
 93.575 - Child Care and Development Block Grant
 93.596 - Child Care Mandatory and Matching Funds of the Child Care and Development Fund
 93.568 - Low Income Home Energy Assistance Program

2018-046

Controls Should Be Strengthened over On-Site Monitoring for the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Child Care and Development Block Grant (CCDF), Low Income Home Energy Assistance Program (LIHEAP), and Social Services Block Grant (SSBG) Programs

MDHS Response:

MDHS is in agreement that controls should be strengthened over on-site monitoring for SNAP, TANF, CCDF, LIHEAP, and SSBG programs.

Corrective Action Plan:

MDHS will train all employees in the Monitoring unit of Program Integrity Division in regards to the new implemented tracking system and the importance of timely uploading of all required documents on both the common drive and Smartsheets. Monitors are also submitting weekly itineraries to ensure that all required documents from the onsite monitoring visits are uploaded and reviewed within two (2) weeks following the visit.

To do such monitors are utilizing Smartsheets, in which will also continue to aide notifying employees when responses and reports are due. Furthermore, said will be memorialized because the Monitoring unit will also develop a monitoring procedure manual to include processes, procedures, and documentation requirements. This manual will outline the process to document the review, prepare findings, and communicate to sub recipients. The name of the contact person who is responsible for this corrective action plan is David Barton, Inspector General. This corrective action plan shall be implemented by August 1, 2019.

SUBRECIPIENT MONITORING

Material Weakness

Material Noncompliance

CFDA Number

10.551 – Supplemental Nutrition Assistance Program
93.558 – Temporary Assistance for Needy Families State Programs
93.667 – Social Services Block Grant
93.575 – Child Care and Development Block Grant
93.596 – Child Care Mandatory and Matching Funds of the Child Care and Development Fund
93.568 – Low Income Home Energy Assistance Program

2018-047

Controls Should Be Strengthened over Sub Recipient Monitoring of OMB Uniform Guidance Audits for the Supplemental Nutrition Assistance Program (SNAP), Child Care and Development Block Grant (CCDF), Temporary Assistance for Needy Families (TANF), Social Services Block Grant (SSBG) and Low Income Home Energy Assistance (LIHEAP) Programs.

MDHS Response:

MDHS is in agreement that controls should be strengthened over Sub Recipient monitoring of OMB Uniform Guidance Audits for SNAP, CCDF, TANF, SSBG, and LIHEAP Programs.

Corrective Action Plan:

MDHS will train all employees in the Monitoring unit of Program Integrity Division in regards to the new implemented tracking system and the importance of timely uploading of all required documents on both the common drive and Smartsheets. Monitors are also submitting weekly itineraries to ensure that all required documents from the onsite monitoring visits are uploaded and reviewed within two (2) weeks following the visit. To do such monitors are utilizing Smartsheets, in which will also continue to aide notifying employees when responses and reports are due. Furthermore, said will be memorialized because the Monitoring unit will also develop a monitoring procedure manual to include processes, procedures, and documentation requirements. This manual will outline the process to document the review, prepare findings, and communicate to sub recipients. The name of the contact person who is responsible for this

corrective action plan is David Barton, Inspector General. This corrective action plan shall be implemented by August 1, 2019.

ELIGIBILITY
Significant Deficiency
Immaterial Noncompliance

CFDA Number

93.575 – Child Care and Development Block Grant
93.596 – Child Care Mandatory and Matching Funds of the Child Care and Development Fund

2018-048

Controls Should Be Strengthened to Ensure Compliance with Eligibility and Benefit Payment Requirements of the Child Care and Development Block Grant (CCDF) Cluster.

MDHS Response:

MDHS agrees that controls should be strengthened to ensure compliance with eligibility and benefit payment requirements of the CCDF Cluster.

Corrective Action Plan:

The Division of Early Childhood Care and Development (DECCD) has modified several business practices to decrease the errors and avoid improper payments. DECCD implemented a new document upload function that allows submitted documents from applicants to be uploaded directly to the applicant's application every fifteen (15) minutes. This new process has already been implemented and affords the eligibility employee to be able to process the application with all required documents in an efficient manner. Additionally, over the course of the year DECCD has administered extensive trainings for all DECCD eligibility employees. The trainings included reviewing the co-payment chart, eligibility requirements for parents and processing applications based on documents received. Moreover, an eligibility checklist and a desk guide was developed as an internal control for staff to use as a guide when approving a parent application.

Furthermore, the Quality Control Department (QC) of the Office of the Inspector General, a separate and distinct department from DECCD, has hired four (4) full time QC reviewers. Their job responsibilities are solely dedicated to DECCD reviews, in which resulted in improved internal quality control. Said employees pull, and will continue to pull, sample cases on a monthly basis to review the eligibility and proper payment of each case in the sample. DECCD has also began corrective action trainings to DECCD employees on common identified errors by quality control and on any modification to the state and federal regulations. The name of the contact person who is responsible for this corrective action plan is David Barton, Inspector General. Note this corrective action plan was implemented on or about October 1, 2018.

ALLOWABLE COST/COST PRINCIPLES

Significant Deficiency

Immaterial Noncompliance

CFDA Number 93.575 Child Care and Development Block Grant
93.596 Child Care Mandatory and Matching Funds of the Child Care and Development Fund

2018-049

Controls should Be Strengthened to Ensure Compliance with Allowable Cost Requirements of the Child Care and Development Block Grant (CCDF) Cluster.

MDHS Response:

MDHS is in agreement that controls should be strengthened to ensure compliance with allowable cost requirements of the Child Care and Development Block Grant (CCDF) Cluster.

Corrective Action Plan:

MDHS met with Information Technology Services (ITS) to modify existing business rules in Child Care Payment System (CCPS). The rule amendments were to include that it will be presumed that children age six (6) or older receives a part-time certificate on school days, unless the parent submits proof that the parent works or is in school non-traditional hours, and that the provider of choice offers care in non-traditional hours as prescribed by the parents work requirements. Additionally, a business rule will be added to make it impossible for CCPS to issue more than one (1) certificate per child.

Furthermore, the Quality Control Department (QC) of the Office of the Inspector General, a separate and distinct department from DECCD, has hired four (4) full time QC reviewers. Their job responsibilities are solely dedicated to DECCD reviews, in which resulted in improved internal quality control. Said employees pull, and will continue to pull, sample cases on a monthly basis to review the eligibility and proper payment of each case in the sample. DECCD has also began corrective action trainings to DECCD staff on common identified errors by quality control and on any modification to the state and federal regulations. The name of the contact person who is responsible for this corrective action plan is David Barton, Inspector General. Note this corrective action plan was implemented on or about October 1, 2018.

**REPORTING
Significant Deficiency**

CFDA Number 10.551 – Supplemental Nutrition Assistance Program
93.558 – Temporary Assistance for Needy Families State Programs
93.575 – Child Care and Development Block Grant
93.596 – Child Care Mandatory and Matching Funds of the Child Care and Development Fund

Controls Should Be Strengthened over the Submission of Required Federal Reports for the Child Care and Development Block Grant

(CCDF), Supplemental Nutrition Assistance Program (SNAP), and Temporary Assistance for Needy Families (TANF) Programs.

MDHS Response:

MDHS is in agreement that controls should be strengthened over the submissions of required federal reports for CCDF, SNAP, and TANF Programs.

Corrective Action Plan:

The Division of Budgets and Accounting (B&A) implemented procedures to address the concerns of the report review processes and the submission of said reports in July of 2018. Thus, the six (6) instances identified as late submissions, were anomalies as the policies and procedures have been implemented and trained on with all employees within B&A. Moreover, the employees of B&A are aware and compliant with the policies and procedures cited in this finding. Specifically, four (4) of the instances cited were the direct result of technical system failures and two (2) were related to the absence of key personnel due to unforeseeable family emergencies. Therefore, the six (6) untimely instances were caused by circumstances beyond the employee's control. However, with that stated the B&A Director will reiterate to employees that all reports are to be returned to the supervisor if there is no final signature for approval and will be reminded that all reports must be submitted into the grant status database in a timely manner. The name of the contact person who is responsible for this corrective action plan is David Barton, Inspector General. Note this corrective action plan was implemented on or about July 1, 2018.

**EARMARKING
 Significant Deficiency
 Immaterial Noncompliance**

CFDA Number
 93.575 - Child Care and Development Block Grant
2018-051
Controls Should Be Strengthened to Ensure Compliance with Earmarking and Minimum Targeted Funds Requirements.

MDHS Response:
 MDHS is in agreement that controls should be strengthened to ensure compliance with earmarking and minimum targeted funds requirements.

Corrective Action Plan:

MDHS requested and was granted approval from Administration of Children and Families (ACF) to revise the Federal Fiscal Year 2019 CCDF 696 report for quarter ending 9/30/2017. The report was revised to adjust expenses from other qualified quality activities to meet the required targeted earmarks. This process was completed and the report resubmitted to ACF on June 5, 2019. Documentation can be provided upon request. The name of the contact person who is responsible for this corrective action plan is David Barton, Inspector General.

SPECIAL TESTS
Material Weakness
Martial Noncompliance

CFDA Number

93.575 - Child Care and Development Block Grant

93.596 - Child Care Mandatory and Matching Funds of the Child Care and Development Fund

2018-052

Controls Should Be strengthened over Compliance with Health and Safety Requirements of the Child Care and Development Fund (CCDF) Cluster.

MDHS Response:

MDHS is in agreement that controls should be strengthened over compliance with health and safety requirements of the Child Care and Development Fund (CCDF) Cluster.

Corrective Action Plan:

DECCD entered into an agreement with Mississippi Department of Health to restructure the unlicensed child care providers, who are now called family child care providers. Said group of providers are required to comply with the following requirements with the Mississippi Department of Health: 1.) attend health and safety training, 2.) comply with criminal background checks for all eligible adults in the home, 3.) register as a family child care provider, and 4.) agree to be monitored by the Mississippi Department of Health. All has to be completed for the family child care provider to continue to be a CCDF provider.

The Mississippi Department of Health began inspections for monitoring compliance. The name of the contact person who is responsible for this corrective action plan is David Barton, Inspector General. This corrective action plan expects to be completed by June 30, 2019.

EARMARKING
Significant Deficiency
Immaterial Noncompliance

CFDA Number

2018-053

93.558 Temporary assistance for Needy Families State Programs
Controls Should Be Strengthened over 20 Percent Exemption and Five Year Time Limit.

MDHS Response:

MDHS agrees controls should be strengthened over the 20 Percent Exemption and Five (5) Year Time Limit.

Corrective Action Plan:

MDHS EA division will conduct refresher training to ensure all employees have an in-depth understanding of policy contained within Volume III and resulting procedures.

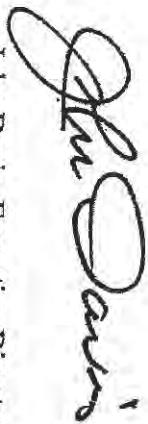
The county and regional employees of MDHS will continue monitoring the 20 Percent Exemption Report and the report for the five (5) Year Time Limit

Mississippi Department of Human Services
June 6, 2019
Page 8

(MDHS-EA-313 and MDHS-EA-313A) and submitting verification of the review monthly. In order to strengthen compliance, an individual at the MDHS State Office has been designated to monitor and ensure compliance each month with the 20 Percent Exemption and the five (5) Year Time Limit in a separate review. Any discrepancies identified will be sent through the Field Operations Director of EA to ensure appropriate case action has been taken to terminate benefits or grant permissible exemptions. The name of the contact person who is responsible for this corrective action plan is David Barton, Inspector General. The anticipated completion date for the corrective action plan is July 1, 2019.

We appreciate the courtesy and professionalism demonstrated by Jeremy Ashley and his field staff throughout the audit. Should you have any questions regarding our responses or corrective action plan, please do not hesitate to contact David Barton, Inspector General, at 601-359-4551.

Respectfully,



John Davis, Executive Director

JD: DB

pc:
Jacob Black
David Barton
Christopher Rand



STATE OF MISSISSIPPI
Phil Bryant, Governor
DEPARTMENT OF HUMAN SERVICES
John Davis
Executive Director

OTHER AUDIT FINDINGS

June 6, 2019

Shad White, State Auditor
Office of the State Auditor
State of Mississippi
P.O. Box 956
Jackson, MS 39205-0956

Dear Mr. White:

Enclosed for your review is the agency's official responses and corrective action plans to the Other Audit Findings in the Single Audit Management Report as outlined in the Mississippi Department of Human Services (MDHS) audit performed for the State Fiscal Year 2018:

OTHER AUDIT FINDINGS:

ELIGIBILITY
Control Deficiency

CFDA Number 93.558 – Temporary Assistance for Needy Families State Programs

OTH - 18-04
Controls Should Be Strengthened over Segregation of Duties and Granting Access to MAVERICS.

MDHS Response:

MDHS is in agreement that it should strengthen its' policies and procedures to ensure that personnel not authorized to approve and/or certify a payment will not have access to do such.

Corrective Action Plan:

The MDHS Division of Management Information Systems (MIS) has partnered with the Division of Human Resources to implement an annual attestation of the MDHS Enterprise Security Policy (ESP). Moreover, the MDHS MIS Security Administration team performs a self-audit of 'User Access Controls' on an annual basis. Please note that MDHS users cannot access any of the systems that MDHS utilizes, including MAVERICS, without first authenticating to active directory. The active directory database is kept current with only active users, as employees

Mississippi Department of Human Services
June 6, 2019
Page 2

that are separated from the agency are removed in a timely manner. The MDHS MIS Security Administration team will ensure that all employees separated from the agency will have said access to MAVERICS, and all other MDHS systems, terminated within thirty (30) days of separation, or sooner if possible. Additionally, the Security Administration team monitors MAVERICS user IDs to ensure that if a user has been inactive for ninety (90) days or longer, said login is disabled. The name of the contact person who is responsible for this corrective action plan is David Barton, Inspector General. The anticipated completion date of this corrective action plan is October 1, 2019.

We appreciate the courtesy and professionalism demonstrated by Jeremy Ashley and his field staff throughout the audit. Should you have any questions regarding our responses or corrective action plan, please do not hesitate to contact David Barton, Inspector General, at 601-359-4551.

Respectfully,



John Davis
Executive Director

JD:DB

cc:
Jacob Black
David Barton
Christopher Rand

EXHIBIT
16

No SIM 

11:39 AM

④ 50% 



BF
Brett >



Jul 22, 2019, 8:15 AM

**Governor this Friday
Deion Sanders and
his son are coming**



iMessage



No SIM 

11:39 AM

④ 50% 



Brett 



his son are coming for a recruiting visit. He is a QB and could be best in country. I already with Nancy started talking about a indoor facility but I think we have got to get one to stay up with everyone else. But it won't happen anytime soon if you and Nancy can't help. I would like to tell him



iMessage



No SIM 

11:39 AM

④ 50% 



Brett 

and Nancy can't help.
I would like to tell him
we are about to start
building in the next
year and half



The State Auditor is
reviewing all the
Contracts at DHS
which Funds Families
First. Hope we get le-



iMessage



No SIM

11:39 AM

© 49%



Brett >



First. Hoppe we get legal clearance soon. Don't want to get anyone in trouble for improper expenditures. Should know soon. Yep.. Rick or Terry haven't been invited to come to any event so far. I have asked the AD and President to do so but nothing has happened.



No SIM 

11:40 AM

④ 49% 



Brett >

happened.

Ok. As far as families first and facilities goes I think we can do so much together. It would be beneficial for both.

Hope we get clearance.

So do I. Thanks

What's your out tell



iMessage



No SIM 

11:40 AM

④ 49% 



Brett 

What's your gut tell
you will happen? I
have to come up with
a lot of money if this
doesn't get clearance

It's the State Auditor
that will give the ap-
proval. Has to have
legal authority. I will
check today..

Governor I know you
are doing all possible



Message



No SIM 

11:40 AM

④ 49% 



Brett >

are doing all possible
and I appreciate your
help tremendously 
 if I need to do
anything to help
make this all work
please let me know.

Will do.. we are
checking today.
Thanks for caring.

Your welcome

לען רשות רשות רשות



EXHIBIT
20

No SIM 

11:53 AM

④ 41% 



Chris 

Safe travels.



Jul 25, 2019, 8:13 AM

Headed home from
N.Y. Honored to have
you on our team.
Hope we have time to
meet tomorrow.
Thanks again. 

It's an honor to be

• • • • •



Message

No SIM

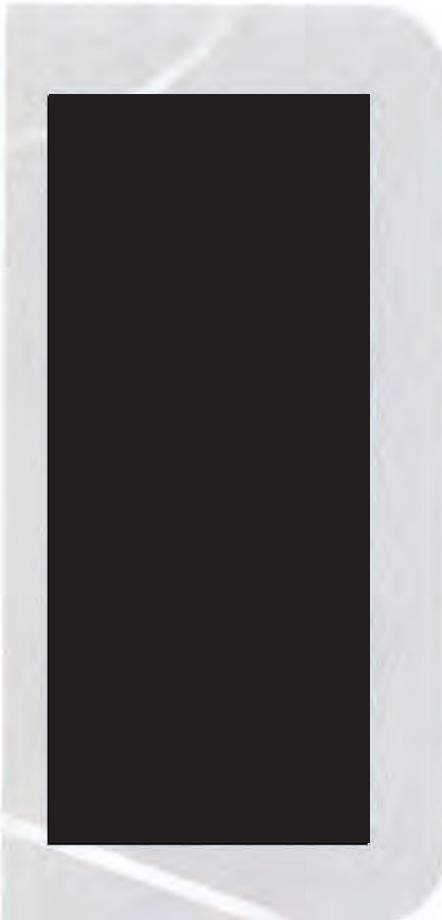
11:54 AM

④ 41%



Chris

It's an honor to be
asked and to serve.
Thank you for the op-
portunity. Safe trav-
els.



iMessage

EXHIBIT 21

No SIM ☎

11:40 AM

④ 49% 🔋



Brett >

Jul 25, 2019, 6:22 PM

Hey Governor I know
your busy but I hope
you can take a look at
Nancys proposal

when you have time.

By the way I do follow
you on Twitter 😊👉

👉 just back in town.
Met with new Director today. It will take



iMessage



No SIM 

11:40 AM

④ 49% 



Brett >



met with new director today. It will take time to get the Auditors Report. Working on it..

That's all I can ask
thank you



Keep the Faith

Jul 28, 2019, 7:58 AM

Sorry to bother you
but Friday I picked up



iMessage





Brett ▶



but Friday I picked up Deion Sanders and his son who is going to be a junior in high school and plays QB. He has at least 30 offers thus far including us. Deion and I have been great friends since 91' and have great respect for each other. We have a great opportunity to get this kid but with 2



Message



No SIM

11:41 AM

④ 49% 



Brett



get this kid but with 2 years remaining before he can sign we have many hurdles to jump and much opposition especially in the resource department. As I suspected Deion's son asked where the indoor facility was and I said we don't have one but are hoping to break ground in less

.....



Message



No SIM ☎

11:41 AM

④ 48% 🔋



Brett >



break ground in less than 2 years. Now that will not happen without your help/ commitment!!! I know we have the Vball to complete first and I'm asking a lot with that and I believe 100% that if you can get this done Nancy will reach and help many and in the recruiting war will give USM in-



Message



No SIM

11:41 AM

④ 48%



Brett >



war will give USM instant credibility and become relevant again.

Nancy has some limited control over Federal Funds in the form of Grants for Children and adults in the Low Income Community. Use of these funds are tightly controlled. Any improper use could result in viola



Message



No SIM 

11:41 AM

④ 48% 



Brett >



could result in violation of Federal Law. Auditors are currently reviewing the use of these funds by Families First. As soon as the Audit is complete we will know if the project at USM is a proper expenditure. Neither I nor Nancy can make this decision. She must have approval from DHS and the State Auditor.



Message

No SIM

11:41 AM

④ 48%



Brett



approval from DHS and the State Auditor. As soon as we get approval we can move forward. Without that approval any expenditure could be illegal and Nancy and USM could be made to repay the Federal Government any and all funds spent. That's why we are waiting



iMessage



No SIM 

11:42 AM

④ 48% 



Brett 

till it is approved. I
am Sorry it takes so
long. Hope we can
get there soon. Will
let you know
When I do. Thanks
for helping..

Thanks Governor



iMessage



EXHIBIT 22

No SIM

11:42 AM

④ 48%



Brett >

Aug 2, 2019, 9:14 AM

Nancy just told me
you are getting her
and the new Director
together ASAP.

Thanks as always

Will make it
happen



Thank you



iMessage



EXHIBIT 23

No SIM

11:45 AM

④ 46%



Brett >

Aug 5, 2019, 1:19 PM

Any word yet on Mine
and Nancys project?

Let me check against

Again.

Thanks



Message



EXHIBIT 24

No SIM

1:00 PM

© 19% 



Aug 5, 2019, 3:08 PM

Did we get a plan
from Nancy New
about a Project T
Southern Miss and
Families First?

W

Brett Favre pr...

yes sir, it should have
been in your briefing
hmk +ha n+har



No SIM

1:01 PM

④ 19%



Families First?

W

Brett Favre pr...

yes sir, it should have
been in your briefing
book the other
day. I'll make sure a
copy is in there today.



To: Governor Phil Bryant
Dr. Nancy New, Mississippi Community Education Center

From: Brett Favre

Re:

The Dewey Phillip Bryant Center for Excellence at the University of Southern Mississippi (The proposed name was intended to be a surprise honor to the Governor. Due to the urgency in getting this secured, we felt it appropriate to share.)

Project Name: The Dewey Phillip Bryant Center for Excellence at the University of Southern Mississippi focusing on Obesity, Bullying Prevention and Personal Development

Project Summary

The Mississippi Community Education Center ("MCEC"), the Mississippi Department of Human Services ("MDHS"), the University of Southern Mississippi Foundation ("USM") and Brett Favre, Mississippi native and member of the National Football League Hall of Fame, by and through the Families First for Mississippi services, have engaged in a collaborative partnership aimed at providing evidence-based and research-based resources and initiatives to individuals, families and communities throughout Mississippi. Specifically, the partnership provides support and resources for individuals and families through provision of healthy living and nutrition (with a primary focus on childhood obesity and family nutrition), healthy choices; as well as, bullying awareness and prevention education. Additionally, resources and support are provided in areas of leadership development, job readiness training, personal and financial stability and a variety of other skills-based resources and trainings.

Programs & Initiatives

This initiative provides numerous programs and resources which enable a wide network of support designed to impact and stabilize the whole family. These programs include, but are not limited to, the following:

1. Healthy living and nutrition with a primary focus on obesity.
2. Impacts and effects of bullying awareness and prevention.
3. Positive youth development.
4. Soft skills, job readiness and workforce training.
5. Personal financial literacy.
6. Personal wellness, fitness and nutrition.
7. Leadership development training.

Who will benefit?

This collaboration has an immediate positive impact on individuals and families throughout Mississippi. There is a direct positive impact for the University of Southern Mississippi and surrounding areas. The Dewey Phillip Bryant Center for Excellence will serve as a model program that could easily be expanded to each of the Institutions of Higher Education and Community College campuses, thereby facilitating accessibility of these resources, programs and supports in communities statewide.

Project Needs & Logistics

It is estimated that **\$1.5 to \$2.0 million** (\$1,500,000.00-\$2,000,000.00) is needed to adequately fund this project. These funds will be deposited in and maintained by the University

or Southern Mississippi Athletic Foundation and designated specifically for the Dewey Philip Bryant Center of Excellence at the University of Southern Mississippi. This commitment will help to ensure that this isn't just a project or program, rather it is a sustainable process that provides a perpetual direct and meaningful impact on youth and families for many years to come.

MCEC has over thirty (30) years of experience in providing services and resources; not only in Mississippi, but across the United States and in other countries. Brett Favre has a vast professional and personal network which provides resources and expertise from individuals with varied backgrounds and experiences. Together, this team of professionals will continue to implement and provide programs and resources which will have a profound and direct long-lasting impact.

Conclusion

This collaboration will provide a long-lasting repository for resources and professional support for the people of Mississippi. MCEC will provide resources and support in areas in which the organization has cultivated expertise for over three decades. Brett Favre has committed to relying on his vast network of friends and fellow professionals in providing training and education across a broad spectrum of areas. The requested funding will allow this partnership to conduct trainings and forge additional partnerships in a wide variety of educational and professional areas. Most importantly, said funding will provide a mechanism to continue and expand these meaningful and much needed resources to move Mississippi positively in obesity, bullying related suicides, and bridging the soft-skills gap. The Dewey Philip Bryant Center for Excellence on the campus of University of Southern Mississippi will serve as a model program in the country and a catalyst for sustainable, systemic change.

EXHIBIT
25

No SIM 

11:46 AM

④ 45% 



Brett >



Aug 8, 2019, 1:48 PM

Is the Funding from
Nancy planned for



Message

No SIM

11:46 AM

④ 45%



Brett >



Nancy planned for
bricks and mortar?
Her application is not
very clear what the
money will be used
for?

Let me check Gover-
nor



||

No brick and mortar.
We can use funds for

.. - - -



Message



No SIM ☎

11:47 AM

④ 45% 🔋



Brett >



that. But we can pay for Lease expenses, curriculum for several programs that will be taught there on youth development programs and activities, health, nutrition classes, Obesity prevention programs. We will need staffing part time and a couple full time possibly. Much more but this will help



No SIM
☞

11:47 AM

45%

Brett

vention programs. We will need staffing part time and a couple full time possibly. Much more but this will help.

She said we can't use
for brick and mortar.

He said something about project managers. We will need those, too. this all



No SIM

11:47 AM

④ 45%



Brett >

those, too. This all about teaching, education, obesity prevention, exercise, etc. and we can pay a lease or facilities' use.

Program monies, facilities fees, education, entrepreneurship Every penny spent will be used wisely and account-



No SIM

11:47 AM

© 45%



Brett >

wisely and accountable.

Also from Nancy

Aug 8, 2019, 4:17 PM

Thanks

Aug 14, 2019, 9:20 AM

I think you out the country but I'm just staying on your radar. Now that the facility



iMessage



Pay





Brett ▶

Now that the facility
is almost done I ex-
pect to start
payment. I know your
on it and Thanks

In Ghana, Africa to-
day. Be back on Sat-
urday. Nancy has to
provide the proper
documentation to
MDHS. It's all up to
her get the paper-
work in and then I can
look



Message



No SIM

11:47 AM

④ 45%



Brett

work in and then I can help.

Ok

Aug 14, 2019, 10:26 AM

Nancy said she would re-send. But she said the new director has seen and looked it over. If you are saying she needs to reword and resubmit I'll tell her



Message



No SIM

11:48 AM

④ 45%



Brett >

mit I'll tell her.

I would do that if I
were her.

Ok. I'll tell her. Any
other advice is wel-
comed since want to
get this accom-
plished. Thanks Gov-
ernor

She said she would
redo but sure would
like some insight for



No SIM ☎

11:48 AM

④ 44% 🔋



Brett >

like some insight or
guidance if possible



Aug 14, 2019, 8:36 PM

Please let me know if
I can tell Nancy any-
thing that can help
get this done.



Message



EXHIBIT 26

No SIM

12:29 PM

④ 32%



Brett >



Aug 16, 2019, 9:13 AM

Nancy has reached out to a few folks for some intel but they haven't returned her calls so she is re-wording/redesigning the proposal to submit this morning.

Again Gov any advice I can pass on would
- - -



iMessage



No SIM

12:29 PM

④ 31%



Brett >

I can pass on would
help

That's all I know to
tell her. Hopefully
she can put more de-
tails in the proposal.
Like how many times
the facility will be
used and how many
child will be served
and for what specific
purpose.



No SIM 

12:29 PM

@ 31% 



Brett 

purpose.

Aug 16, 2019, 11:08 AM

**She said done!!!
Thanks Governor**



Aug 16, 2019, 5:52 PM

W

Favre Project...



No SIM

11:49 AM

44%



Brett >

Favre Project...

Her latest

Looks much better

Ok do you think it's sufficient enough?

We will see soon. I would have listed the number of people proposed to be reached by the pro-



iMessage



Brett >

reached by the program and the number of employees necessary to achieve these goals. Taking off from Ghana so may be my last message for a while.

Ok I'll pass to her
thanks



Message



EXHIBIT 27

No SIM 

12:33 PM

④ 30% 



BF

Brett >



Aug 17, 2019, 10:38 AM

W

Favre Project...

Looks much better.
We will help from this
end.



iMessage



Proposal to Mississippi Department of Human Services
for

The Center for Excellence in Healthy Living

at

The University of Southern Mississippi

This concept paper proposes implementation of components designed to support individuals and families through the Center for Excellence in Healthy Living focusing on obesity, bullying prevention, and personal development through research and evidence-based programming focused on healthy living and nutrition (childhood obesity and family nutrition), healthy choices, bullying prevention and awareness, leadership development, job readiness training, and personal and financial stability. It is our desire to name the center, The Dewey Phillip Bryant Center for Excellence in Healthy Living, in honor Governor Phil Bryant's steadfast dedication to health and wellness.

Project Summary

The Mississippi Community Education Center (MCEC), the University of Southern Mississippi (USM) and Brett Favre, Mississippi Native and member of the National Football Hall of Fame, are collaborating on the establishment of the Center for Excellence in Healthy Living focusing on the healthy living and nutrition, healthy choices, leadership development, job readiness training, and family stabilization. This collaboration will have an immediate and positive impact on individuals and families throughout Mississippi as well as a direct impact for the University of Southern Mississippi and surrounding communities. The Center for Excellence in Healthy Living will serve as model that can easily be replicated and expanded to each of the Institutions of Higher Education and Community College campuses, thereby facilitating greater accessibility of these resources, program and supports.

Based on the success of similar Centers for Excellence in Healthy Living, this project will afford unique opportunities for collaboration amongst community-stakeholders, community-based organizations, aging service providers, health care systems, governmental agencies, and healthcare payors, all with

impact the health profiles of the whole family.

➢ Nutritionists and Graduate Assistants will administer a comprehensive nutrition education and services program.

2. Development of a Bully Awareness and Prevention Center

- Develop a parent awareness seminar offered in communities to help parents increase awareness, respond and combat bullying
- Provide school districts and schools with resources to combat bullying (on-campus and off)
- Create a statewide youth engagement initiative that serves as a grass-roots bullying prevention effort

3. Development of a Comprehensive Leadership Academy

- The mission of the program will be to develop youth and adults as community leaders, to prepare them for jobs/careers and to positively impact local communities (youth and families) through strategic engagement, service and programming.
- Administer a comprehensive leadership training program.
- Necessary budget support to fund development, launch and operation of program.

4. Development of a Comprehensive Life Skills engagement program

- The mission of the program will be to enhance the job/career and civic engagement/service futures of participants through programming that enables participants to positively impact local communities (youth and families) in a very intentional and strategic way.
- Youth Development Programs and Initiatives
- Soft Skills Development
- Job Readiness – resume writing, cover letters, interview skills, and job coaching

5. Provide education in Personal and Financial Literacy

- Graduate Assistants will administer a personal and

and professional areas. Most importantly, said funding will provide a mechanism to continue and expand these meaningful and much needed resources to move Mississippi positively in obesity, bullying related suicides, and bridging the soft-skills gap.

This program will require financial support from Mississippi Department of Human Services between 1.5 and 2 million dollars. These funds will be deposited in and maintained by the **University of Southern Mississippi Athletic Foundation** and designated specifically for the Brett Favre Center of Excellence at the University of Southern Mississippi. This commitment will help to ensure that this isn't just a project or program, rather it is a sustainable process that provides a perpetual direct and meaningful impact on youth and families for many years to come.

EXHIBIT 28

No SIM

12:33 PM

④ 30%



Brett >

Aug 17, 2019, 4:41 PM

W

Favre Project...

Sorry for sending so
much but we want it
to be sufficient

enough

That looks fine. We
will see if it is ap-



Message



No SIM 

12:34 PM

④ 29% 



Brett >

will see if it is ap-
proved.

Ok thanks

Aug 19, 2019, 4:37 PM

Anything else I
should tell Nancy?

Just submit it and we
will work it from
here...



Proposal to Mississippi Department of Human Services
for

**The Center for Excellence in Healthy Living
at**

The University of Southern Mississippi

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- Soft Skills Development
- Job Readiness – resume writing, cover letters, interview skills, and job coaching

5. Provide education in Personal and Financial Literacy

- Graduate Assistants will administer a personal and

forge additional partnerships in a wide variety of educational and professional areas. Most importantly, said funding will provide a mechanism to continue and expand these meaningful and much needed resources to move Mississippi positively in obesity, bullying related suicides, and bridging the soft-skills gap.

Services will be on-going throughout the grant period. Target populations will include K-12 schools, Community College campuses, University of Southern Mississippi, William Carey University initially. Businesses and community organizations will also be recruited for participation. Over a 12-month period, it is projected that program will serve between 5,000 to 7,000 participants utilizing evidence-based curricula with assessments being conducted pre and post. Any additional information collected (BMI, net loss, etc.) will be input into a data base system for tracking and accountability.

This program will require financial support from Mississippi Department of Human Services between 1.8 and 2 million dollars. These funds will be deposited in and maintained by the **University of Southern Mississippi Athletic Foundation** and designated specifically for the Dewey Phillip Bryant Center of Excellence at the University of Southern Mississippi. This commitment will help to ensure that this isn't just a project or program, rather it is a sustainable process that provides a perpetual direct and meaningful impact on youth and families for many years to come. Upon request MCEC will provide a more detailed budget or provide additional detail.

EXHIBIT 29

No SIM 

11:54 AM

④ 41% 



Chris 



Aug 21, 2019, 11:36 AM

Brett Farve is blowing
me up over that pro-
posal Nancy New
submitted for the

Center at Southern

Miss. I have told him
it would be reviewed
just like all other pro-
posed projects. Brett
needs more to do in
his life 



iMessage



No SIM ☎

11:54 AM

④ 41% 🔋



Chris

needs more to do in his life just now 🤝. I really do think he believes in the project.

Aug 21, 2019, 2:24 PM

Yes, Nancy is blowing me up, too. Unless there is additional information you would like MDHS to consider, I'm not inclined to approve at this time. I don't think now is the



iMessage

No SIM

11:55 AM

40%



Chris

don't think now is the time to give them \$2 million. We have reviewed and think there might be other ways to accomplish their goals than by creating a center at USM. Brett could be a part of those if he wanted. If you would like to talk so I can further explain, I would be happy to



Message



Chris 

CF

would be happy to
call at your convenience, sir.

Aug 21, 2019, 4:06 PM

As always I am not going to interfere. You got a better understanding than I do of these projects. I think Brett was told it was going to get done by the previous Director. One of the



iMessage

No SIM

11:55 AM

40%



Chris



Director. One of the
reasons that he is a
former Director.



Message



EXHIBIT
30

No SIM

12:35 PM

④ 27% 



Brett >



1

Aug 23, 2019, 11:09 AM

Nancy and I will come
meet with you and
new director if you
think that will help.

Can't hurt 



Message



No SIM 

12:35 PM

④ 27% 



Brett 

Call history 

Ok

Monday morning ok?



8:30?

I am gone all next
week. have Nancy
get with Bethany and
schedule something
for us all



iMessage



No SIM 

12:35 PM

④ 27% 



Brett >

for us all..

Ok. Obviously I or we
need you help us big
time with this.

Understand

Message



**EXHIBIT
31**

◀ Search ⌂

11:09 AM

④ 67% 🔋



Brett >

Aug 24, 2019, 10:32 AM

Governor the indoor volleyball facility could be completed any day now and I'm sure the university will be calling for the remaining 1,048,000. I can try to buy some time. Your our starting QB and we can only go as far as you take us.



Message



No SIM 

12:35 PM

④ 27% 



Brett 

**sure the university
will be calling for the
remaining 1,048,000.
I can try to buy some
time. Your our start-
ing QB and we can
only go as far as you
take us.**

I got called into this
game late. Headed to
Taiwan today at 4:30.
Let's get a meeting
with Director Freeze



iMessage



◀ Search ⌂

11:09 AM

⌚ 67% 🔋



Brett ▶



I got called into this game late. Headed to Taiwan today at 4:30. Let's get a meeting with Director Freeze as soon as I return.

Not sure who made the deal for a million dollars. Nancy needs to work with Bethany to arrange a meeting.

Not to put pressure on you but if anyone



iMessage



◀ Search ⌂

11:09 AM

④ 67% 🔋



Brett ▶

On you but if anyone
can make this work
you can. Have a great
trip and see you after.

Nancy has already
called and we will get
that meeting set



Message



EXHIBIT
32

◀ Search ⌂

11:10 AM

④ 66% 🔋



Brett >

Sep 4, 2019, 5:37 PM

Thank you for having us. We obviously need your help big time and time is working against us. And we feel that your name is the perfect choice for this facility and we are not taking No for an answer!

You are a Southern Miss Alumni, and

- - -



Message



◀ Search ⌂

11:10 AM

⌚ 66% 🔋



Brett >

ivines ruined, and
folks need to know
you are also a sup-
porter of the Univer-
sity.

We are going to get
there. This was a
great meeting. But
we have to follow the
law. I am to old for
Federal Prison. 😊

So you think we will
get it at least?



◀ Search ⚡

11:10 AM

④ 66% 🔋



Brett >

get it at least?

Sep 4, 2019, 7:21 PM

I hope so...it's about
Nancy and her play
book..

You tell me what I
should relay to her
and I'll do it

We will see. It's not
going to happen till
November.



◀ Search ⌂

11:10 AM

④ 66% 🔋



Brett >



INVESTIGATOR.

Ok

Before someone
goes out of office I
hope



Sep 6, 2019, 6:16 PM

**Governor this my last
message I promise. I
know you said noth-**



(iMessage)



◀ Search ⌂

11:10 AM

⌚ 65% 🔋



Brett ▾

know you said non-
ing will be done be-
fore thanksgiving and
I understand, but the
completion of the fa-
cility is any day now
and then I am to pay
the remainder of
amount. If you think I
should move forward
on my own and pay it
then that's fine but if I
should politely ask
for a few more
months than I'm sure



Message



Pay



J



◀ Search ⌂

11:11 AM

④ 65% 🔋



Brett >



Hi Morris, I am sure

Charlie Finnegan

would allow that. The university has known money nor would I expect them to help.

We really can help not only the university with this but a lot of other folks as well.

Thank you

I would ask for an extension. The Bid



◀ Search ⌂

11:11 AM

65% 🔋



Brett >



I would like to address the tension. The Bid process the Director talked about is state law. To override or not obey the law would be a potentially criminal offense. Neither one of us want an investigation by the Auditor. I promise you, there is nothing more I can do except follow the law..



Message



◀ Search ⚙

11:11 AM

④ 65% 🔋



Brett >

follow the law..

I'll ask for an extension. Thank you



Message

EXHIBIT
33

No SIM 

12:58 PM

© 21% 

Sep 6, 2019, 5:42 PM

I can call you. If it's about the Grant or DHS Funding there isn't much I can do. Until Audit has complicated its work I am staying out of all decisions that the agency will make. It would be best to meet with [STAFF ATTORNEY] at this time. Thanks.



No SIM

12:59 PM

④ 21%

Yes sir. She's relentless.

To Nancy New. She wants to meet again. Don't think that's a good idea. Keep this response as a record.

No SIM 

12:59 PM

④ 21% 

Nancy is worrying.
She know what they
were doing was
wrong.

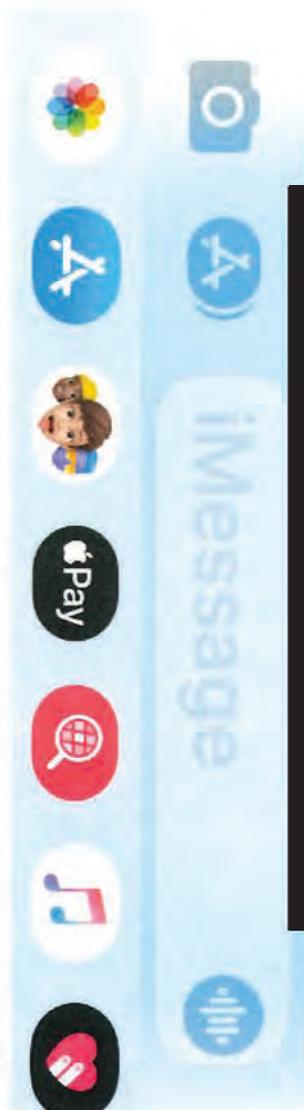
No SIM

12:59 PM

④ 21%

Nancy is worrying.
She know what they
were doing was
wrong.

100%. She should be
worried.





No SIM

12:59 PM

④ 21%

No SIM

12:59 PM

20% 

Isn't about the audit or DHS at all.

Actually, it's about me but that's ok, I understand. I am sorry to bother you especially on a Friday. Have a nice weekend. It's going to be a hot one.

Sent as Text Message

Message



No SIM 

1:00 PM

© 20% 

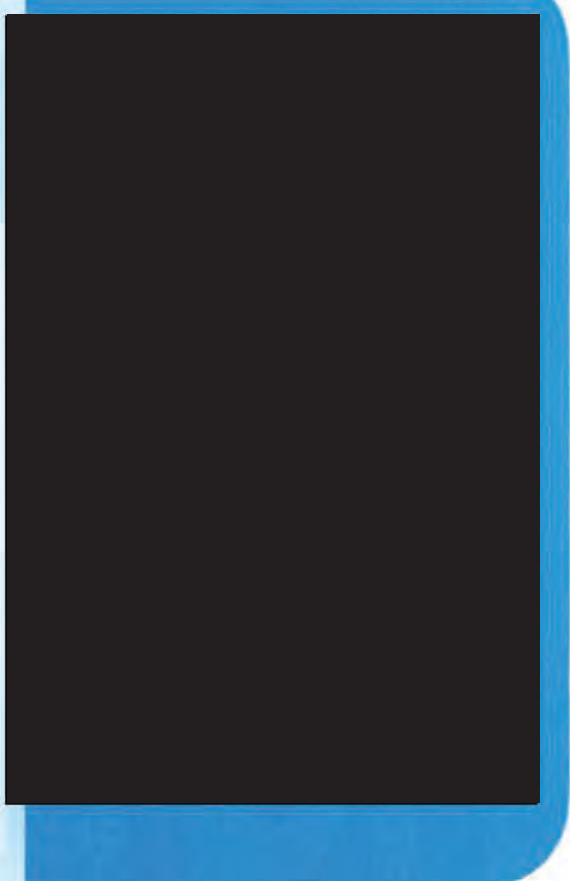


It's going to be a hot
one.

Sent as Text Message

Nancy's reply?

Sent as Text Message



iMessage

EXHIBIT
34

◀ Search ⌂

11:12 AM

④ 65% 🔋



Brett >



iMessage

Oct 13, 2019, 7:45 PM

Have you gotten any
good vibes yet for our
funding?

Oct 22, 2019, 9:58 AM

I am meeting with Di-
rector of MDHS this



Message



◀ Search ⌂

11:12 AM

© 64% 🔋



Brett >



ector of MDHS this week to see where we are in the grant request. We may have to go to the Legislature in January and get language in a Funding bill. I also know how to make that play. Keep the faith. 🤝

Governor you would help me out tremen-
dously if you can not



No SIM 

11:13 AM

© 64% 



Brett 

dously if you can get
it done. Sure will
make it easier on me.

Thank you

On it...



Message



EXHIBIT
35

No SIM

11:13 AM

© 64% 



Brett >

Nov 5, 2019, 8:35 AM

I know you said wait
til November and
dang time flies so I
know it's Election
Day and you are
probably busy but
while we know who
our Governor is pres-
ently not to mention
arguably the most
popular and influen-
tial I want to stay on



iMessage



No SIM

11:13 AM

④ 64% 



Brett >

that I want to stay on
your radar. If our guy
wins I'll feel better
about things but if
the other guy wins I
feel like Nancy and I
can forget our vision
for Southern Miss.

That's one reason I
have been pushing
Tate so hard. He has
to win. Then we set
up a meeting on Well-
ness Center at USM



Message



No SIM

11:14 AM

④ 64%



Brett >

Missed call at 03:11

Ok. What's your gut
telling you?

We will win.. you
should text him and
just say good
luck today



EXHIBIT
36

No SIM 

12:47 PM

④ 27% 



CF

Chris 

Nov 11, 2019, 3:54 PM

Think you will get the
wellness center
project done? Brett

Brett Farve keeps
asking about the
project. I told him a
number of times it
would be January be-
fore we would know



iMessage





Chris



fore we would know anything. Apparently he was assured by Nancy it would be funded.

The proposals are due November 15. The committee will begin their work the following Monday. Results and notifications are expected by Dec 13th.



iMessage



No SIM 

12:48 PM

© 27% 



Chris 

"

Dec 13th.

Can I send that to
Brett?

Yes. That's public in-
formation.

Should I ask how
strongly you feel
about the project?

I am a supporter and
think it can be a big



Message



No SIM 

12:48 PM

④ 27% 



Chris 

think it can be a big
help to a lot of peo-
ple..

Ok.

Thanks



EXHIBIT
37

No SIM

11:14 AM

④ 64%



Brett >

Nov 11, 2019, 3:49 PM

Think you will get the
wellness center
project done?

Will depend on the
Grants in January
and if we can get the
Ms. Legislature to
help... Lot of moving
parts just now. Nancy
should have been
more careful in giving



Message



No SIM

11:14 AM

④ 64% 



Brett >



more care taking giving
any assurance that
the project would be
approved. One of the
reasons John Davis is
gone is because of
this type of issue. We
will keep working on
it...

The proposals are
due November 15.
The committee will
begin their work the
following Monday



Message



No SIM

11:15 AM

64%



Brett

tomorrow Monday.
Results and notifications are expected by
Dec 13th.

I sure hope this gets cleared. Thanks Gov-
ernor

Pushing hard...

I know and I really appreciate it very much



EXHIBIT

38

No SIM

11:15 AM

@ 63% 



Brett >

Dec 12, 2019, 9:31 AM

Hey Gov I think your meeting with Nancy tomorrow. This money will be used for state programs as well as help USM but w/ a director in place good things will happen and The University is all in as well. I know your doing all you can and we appreciate you I very



MESSAGE

No SIM

11:15 AM

④ 63%



BF

Brett >

preciate you very
much.

Dec 12, 2019, 11:33 AM

Thanks Brett. We are
working on it for sure.
Will know

More when I meet
with Nancy.

Sent as Text Message



EXHIBIT
39

No SIM 

11:16 AM

63% 



Brett 

REMEMBER TO READ IT.

Text Message

Governor can you think of anyone or any other way of getting funding for the remainder of Vball?

iMessage

Jan 26, 2020, 9:13 AM

Maybe we can talk Monday and I can get



No SIM

11:16 AM

④ 62% 



Brett >



Monday and I carryer
more info. and look
for some funding.
The Auditor continues his investigation
into spending at the
Department Of Human Services. May
need to go visit LT-
GOV Hoseman and
Gov. Reeves.

I Just paid 350k
which leaves the total
around 1.6 and I am



Message



No SIM ☎

11:16 AM

© 62% 🔋



Brett >

around 1.0 and I am giving another 200k next week. How can Tate and Delbert help you think?

They Just have to find a budget and put money into it. I have probably gotten USM \$40 million in funding the last 8 yrs.

Sen. Briggs Hopson is Senate Appropriation Chair That's



Message



No SIM

11:17 AM

62% 



BF
Brett >

Coach Hops brother..

Wow. I just sent Tate
a message. Should I
do the same with
Briggs and Delbert

I would. I will call
them also...

Ok

Brett, you aren't
bothering me at all



Message



No SIM ☎

11:17 AM

④ 62% 🔋



Brett >



During the call

and please always
feel free to reach out
to me anytime. I will
help any way I can. I
will be glad to set
something up with
Tate. Tell me kind of
what the plan in
place for funding
is\was. Did Gov
Bryant mention
maybe trying to get it
as part of a bond bill
for University? Ad-



Message



||

No SIM ☎

11:17 AM

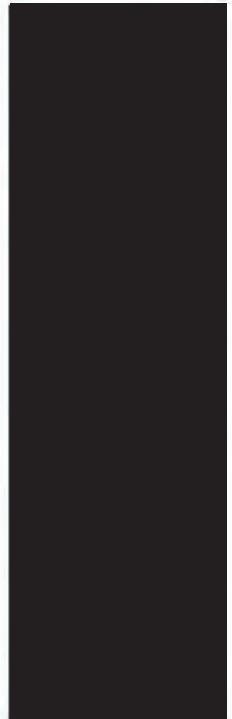
④ 62% 🔋



Brett >



for University? Admittedly, I'm not the expert on some of this stuff but I will certainly do everything I can to get all the right minds together and formulate a plan to sort it out.



I told him I would ask

||



Message



No SIM 5G

11:17 AM

62% 



Brett >

I told him I would ask

It's complicated to do Bonds unless it brick and mortar and the University puts it in its list of priorities for Bonds.

They could put \$1.5 in a Bond Bill without a problem

Bond Bill is what you recommend?



Message

No SIM ☎

11:17 AM

④ 62% 🔋



Brett >

recommend:

Is it brick and mortar?

Good question I'll find out.

Do we want it not to be? I think it's more

the finishing cosmetic type work. 5.5 has

already been paid

We want it to be one time construction



No SIM ☎

11:17 AM

④ 62% 🔋



Brett >

We want it to be one
time construction
cost not ongoing ex-
penses.

We can certainly do
that



So do I need to have
the university do
something first?



Message



No SIM

11:18 AM

④ 62%



unat



Brett >



So do I need to have
the university do
something first?

Let me talk to
Rodney..

Ok

Thanks Governor



Message



No SIM

11:18 AM

61%



Brett >

Jan 26, 2020, 1:04 PM



I know you already
know this but I need
you big time on this.
And it sounds like if
you can't then it will
not get done. So
thanks again

On it..



Message



No SIM

11:19 AM

④ 61%



Brett >

Jan 26, 2020, 8:16 PM

Gov. I will be out of town Thursday through Sunday so if we need to meet with the powers that be before then please let me know

Will know more tomorrow

OK thank you



EXHIBIT
40

No SIM 

11:19 AM

© 61% 

<

BF

Brett >



Jan 27, 2020, 4:18 PM

Governor had a talk with Tate and he said he would get with his team on a plan. I'm sure with you in his ear that would help tremendously



Message



No SIM

11:19 AM

④ 61%



Brett >

eat that would help
tremendously

Good deal.. will make
that happen



Thanks

I can focus on anything else with this
looming

Text Message

I can focus on any-



Message



No SIM

12:03 PM

④ 38% 



Brett >

I can focus on anything else with this looming

Text Message

I can focus on anything else with this looming

iMessage

I understand..

Delivered



Message



J



EXHIBIT
41



Rodney >

Jan 27, 2020, 6:41 PM

Brett keeps asking to help him fund the Volleyball Facility. I want to help but wanted to see your position before I go the LtGovernor.

Governor!!! It's so good to hear from you- we miss you! I haven't forgotten



◀ Search ⌂

11:07 AM

④ 68% 🔋



Rodney >

I have to say you
about the project for
you at USM- I made a
personnel change
which I believed
slowed our momen-
tum a bit but it's defi-
nitely on the radar
and a project we
want to do. I've asked
Brett to not do the
things he's doing to
seek funding from
state agencies and
the legislature for the



Message

◀ Search ⚙

11:07 AM

④ 68% 🔋



RB

Rodney

the regulation in the volleyball facility. As you know, IHL has a process of how we request and get approval for projects and what he's doing is outside those guidelines. I will see, for the "umpteenth time" if we can get him to stand down. The bottom line is he personally guaranteed the project and



Message



◀ Search ⌂

11:07 AM

🔋 67% 🔋



RB

Rodney >

tee a tne project, and
on his word and
handshake we pro-
ceeded. It's time for
him to pay up- it real-
ly is just that simple.

That's was my
thoughts. Maybe he
wants the State to
pay off his promises.
Like all of us I like
Brett. He is a legend
but he has to under-
stand what a nlede



Message

◀ Search ⌂

11:08 AM

⌚ 67% 🔋



RB

Rodney >

Stand with a pledge
means. I have tried
many time to explain
that to him.

Indeed!! I will be in
contact regarding the
project in the library
for you.

Thanks. That will be
quite an honor from
my University 

Delivered



Message



EXHIBIT 42

Brett

23%

Feb 6, 2020, 10:20 AM

Governor have you
spoken to Tate? He said
he was gonna get with
his team and figure
something out.



**Largest public
embezzlement scheme
in Mississippi history
uncovered**

mspolicy.org

This has been the
problem. Not sure what
funding will be available
in the future.

Feb 7, 2020, 3:44 PM



Brett

33%

Feb 7, 2020, 3:44 PM

Yeah I'm well aware of it. I think the angle Tate is looking at is a bond bill according to [REDACTED] You think that [REDACTED] has a chance?

Bonds can sure be used for Brick and mortar...

Anything I can do?

May want to meet with Tate when you can...

I did and he said he would get with his team

Then just have to wait till a bond bill is drafted and hope you make the list

Ok



EXHIBIT 43

State of Mississippi

Single Audit for Year Ending June 30, 2019

Mississippi Office of the State Auditor
Shad White





**STATE OF MISSISSIPPI
OFFICE OF THE STATE AUDITOR
SHAD WHITE**

April 30, 2020

The Governor, Members of the Legislature
and Citizens of the State of Mississippi

I am pleased to submit the *Single Audit Report* of the State of Mississippi for the fiscal year ended June 30, 2019. Our audit was conducted in accordance with the requirements of the Single Audit Act Amendments of 1996, the provisions of the Office of Management and Budget (OMB) *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (contained in Title 2 of the U.S. Code of Federal Regulations Part 200), and the State of Mississippi's audit requirements.

The Single Audit process requires the coordination and cooperation of many state government entities. We are particularly grateful for the efforts of the Mississippi Department of Finance and Administration in compiling data.

While I am pleased to report that, for the thirty-second consecutive year, DFA was awarded the Government Finance Officers Association of the United States and Canada's Certificate of Achievement for Excellence in Financial Reporting, it is important to note that this award is bestowed on DFA for its adherence to standards when compiling the report, and does not consider the actual financial condition of the state.

Additionally, it is important to note that my office issued an unmodified opinion on those financials, but that in order to do so, multiple significant adjustments to the financial reports submitted by state agencies were required. I would encourage you to review the audit findings issued by my office and other independent CPA firms. These audit findings are a vital part of our report as they acknowledge weaknesses existing in our state agencies that should be addressed by management and those charged with governance.

Mississippi's *Comprehensive Annual Financial Report* for fiscal year 2019 and our report thereon, dated December, 20, 2019, has been issued under separate cover and is available electronically at <http://www.dfa.state.ms.us/> or by writing to the address below:

Mississippi Department of Finance and Administration
Attention: Bureau of Financial Reporting
P. O. Box 267
Jackson, MS 39205

Respectfully submitted,

SHAD WHITE
State Auditor

STATE OF MISSISSIPPI

SCHEDEULE OF FINDINGS AND QUESTIONED COSTS

PART 3 – Federal Award Findings and Questioned Costs (continued)

Payments for Sports/Coaches/Sporting Celebrities

Laws and Regulations: *The Code of Federal Regulations (2 cfr 200.403)* states that, in order to be allowable under federal guidelines, costs must be necessary and reasonable, and adequately documented.

The Code of Federal Regulations (2 cfr 200.459(a)) states that costs of professional and consultant services rendered by persons who are members of a particular profession or possess a special skill, and who are not officers or employees of the non- Federal entity, are allowable, subject to paragraphs (b) and (c) when reasonable in relation to the services rendered and when not contingent upon recovery of the costs from the Federal government.

The Code of Federal Regulations (2 cfr 200.434(a)) states the costs of contributions and donations, including cash, property, and services from the grantee to other entities are unallowable.

The Code of Federal Regulations (2 cfr 200.469) states the costs incurred for intramural activities, student publications, student clubs, and other student activities, are unallowable, unless specifically provided for in the Federal award.

The TANF State Plan states TANF funds may be used to fund the expansion of the Families First Resource Centers. Through these centers, MDHS will advance the development, expansion and enhancement of a statewide network of community-based, prevention focused, parent resource centers that offer assistance to families. To encourage the formation and maintenance of two-parent families and reduce out of wedlock pregnancies the centers will:

- Provide early comprehensive support for parents;
- Promote the development of parenting skills;
- Promote the independence of families;
- Increase family stability;
- Improve family access to resources and opportunities for assistance;
- Focus on prevention of teenage pregnancy while supporting teen parents;
- Support the needs of families with children with disabilities; and,
- Provide a safe place for supervised children.

Families eligible for this program are not required to be TANF eligible, but must be at or below 300 percent of the Federal Poverty Level.

Exceptions/Questioned Costs: During testwork for activities allowed and allowable costs, the auditor noted the following violations:

- MCEC expended federal grant monies to fund multiple sports programs. MCEC could not provide any documentation supporting the correlation of these sports programs to any of the four tenets of TANF, nor did MCEC utilize any criteria to establish eligibility for

STATE OF MISSISSIPPI**SCHEDEULE OF FINDINGS AND QUESTIONED COSTS****PART 3 – Federal Award Findings and Questioned Costs (continued)**

these programs. Additionally, as detailed below, the auditor does not consider the costs of some of the programs reasonable or necessary to meet federal requirements.

- Favre Enterprises was contracted to appear at several events, record promotions, and provide autographs for marketing materials from July 1, 2017 through July 31, 2018. Additional contract information provided that the contract fee would be paid in installments and would include three (3) speaking engagements, one (1) radio spot and one (1) keynote address. There was no mention of the contract price in the contract supplied to auditors. When auditors requested further details on the performance of the contract, specifically the dates of any speaking engagements, MCEC provided a list of dates and events that fulfilled the contract terms; however, upon a cursory review of those dates, auditors were able to determine that the individual contracted did not speak nor was he present for those events. Two payments were made to Favre Enterprises – one for \$500,000 in December 2017 and one for \$600,000 in June 2018.

Due to the inability to verify that any work was performed in order to fulfill the contract, and due to the unreasonable amount paid, the entire payment of \$1,100,000 paid in FY 2018 is questioned.

- Rick Rigsby Communications was paid \$52,100 for motivational speaking in April 2019. No contract was provided to auditor; therefore, correlation to TANF cannot be verified.
- Diamond Design and Construction was paid \$42,750 in FY 2019 to convert and line Field 8 for the North Jackson Youth Baseball League. The field is located next to New Summit School, the school owned and operated by the Director of MCEC (NN). According to inquiry, Field 8 was often utilized as a baseball field for New Summit Academy.

Due to the inability to verify that this work was related to TANF, including no correlation to any tenet of TANF, and due to the risk that this payment was made for the personal use of those involved with MCEC, this payment is questioned.

- North Jackson Youth Baseball was paid \$65,000 in FY 2017 to rent baseball fields. MCEC stated the amounts were a donation to the organization. Auditor noted that the Programmatic Director for MCEC (SP) and the spouse of one of the principals at MCEC (JN) are currently on the Board of Directors of the baseball organization.

STATE OF MISSISSIPPI**SCHEDEULE OF FINDINGS AND QUESTIONED COSTS****PART 3 – Federal Award Findings and Questioned Costs (continued)**

The Code of Federal Regulations (2 cfr 200.434(a)) states the costs of contributions and donations, including cash, property, and services from the grantee to other entities are unallowable.

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- Provide early comprehensive support for parents;
- Promote the development of parenting skills;
- Promote the independence of families;
- Increase family stability;
- Improve family access to resources and opportunities for assistance;
- Focus on prevention of teenage pregnancy while supporting teen parents;
- Support the needs of families with children with disabilities; and,
- Provide a safe place for supervised children.

Families eligible for this program are not required to be TANF eligible, but must be at or below 300 percent of the Federal Poverty Level.

Exceptions/Questioned Costs: During testwork for activities allowed and allowable costs, the auditor noted the following violations:

- MCEC expended federal grant monies to fund multiple sports programs. MCEC could not provide any documentation supporting the correlation of these sports programs to any of the four tenets of TANF, nor did MCEC utilize any criteria to establish eligibility for these programs. Additionally, as detailed below, the auditor does not consider the costs of some of the programs reasonable or necessary to meet federal requirements.
- Favre Enterprises was contracted to appear at several events, record promotions, and provide autographs for marketing materials from July 1, 2017 through July 31, 2018. Additional contract information provided that the contract fee would be paid in installments and would include three (3) speaking engagements, one (1) radio spot and one (1) keynote address. There was no mention of the contract price in the contract supplied to auditors. When auditors requested further details on the performance of the

STATE OF MISSISSIPPI**SCHEDEULE OF FINDINGS AND QUESTIONED COSTS****PART 3 – Federal Award Findings and Questioned Costs (continued)**

contract, specifically the dates of any speaking engagements, MCEC provided a list of dates and events that fulfilled the contract terms; however, upon a cursory review of those dates, auditors were able to determine that the individual contracted did not speak nor was he present for those events. Two payments were made to Favre Enterprises – one for \$500,000 in December 2017 and one for \$600,000 in June 2018.

Due to the inability to verify that any work was performed in order to fulfill the contract, and due to the unreasonable amount paid, the entire payment of \$1,100,000 paid in FY 2018 is questioned.

- Rick Rigsby Communications was paid \$52,100 for motivational speaking in April 2019. No contract was provided to auditor; therefore, correlation to TANF cannot be verified.
- Diamond Design and Construction was paid \$42,750 in FY 2019 to convert and line Field 8 for the North Jackson Youth Baseball League. The field is located next to New Summit School, the school owned and operated by the Director of MCEC (NN). According to inquiry, Field 8 was often utilized as a baseball field for New Summit Academy.

Due to the inability to verify that this work was related to TANF, including no correlation to any tenet of TANF, and due to the risk that this payment was made for the personal use of those involved with MCEC, this payment is questioned.

- North Jackson Youth Baseball was paid \$65,000 in FY 2017 to rent baseball fields. MCEC stated the amounts were a donation to the organization. Auditor noted that the Programmatic Director for MCEC (SP) and the spouse of one of the principals at MCEC (JN) are currently on the Board of Directors of the baseball organization.

Due to the inability to verify any correlation to TANF, including a programmatic reason for the payments, the provision against using TANF funds for intramural student activities, and the unreasonable amount paid, these payments are questioned.

- P360 Performance Sports was contracted to allow four Jackson schools to use the baseball fields for practice and training. The schools listed in the contract are schools that operate in at-risk areas. However, based on inquiry with the vendor, these amounts also allowed for a specialty, private team (Mississippi Bombers) to use the field, thereby making at least a portion of the payments unallowable due to lack of ability to verify that the payments were for needy individuals. There was no allocation of payments to

EXHIBIT 44

PLEA AGREEMENT



Subject:
United States v. Nancy W. New
 Criminal No. 3:21-CR-0028 CWR-FKB

Date:
 April 19, 2022

To:
 Cynthia H. Speetjens
 Attorney at Law
 100 Depot Drive
 Madison, MS 39110

From:
 David H. Fulcher
 Assistant United States Attorney
 Southern District of Mississippi
 Criminal Division

NANCY W. NEW, Defendant herein, and CYNTHIA H. SPEETJENS, attorney for Defendant, have been notified and understand and agree to the items contained herein, as well as in the Plea Supplement, and that:

1. Count of Conviction. It is understood that, as of the date of this Plea Agreement, Defendant and Defendant's attorney have indicated that Defendant desires to plead guilty under oath to Count 21 of the Indictment charging Defendant with a violation of Title 18, United States Code, Section 1957 for Monetary Transactions with the Proceeds of a Specified Unlawful Activity, that is, wire fraud.

2. Sentence. Defendant understands that the penalty for the offense charged in Count 21 of the Indictment, charging a violation of Title 18, United States Code, Section 1957, is not more than 10 years in prison; a term of supervised release of not more than 3 years; and a fine of up to \$250,000. Defendant further understands that if a term of supervised release is imposed, that term will be in addition to any prison sentence Defendant receives; further, if any of the terms of Defendant's supervised release are violated, Defendant can be returned to prison for the entire term of supervised release, without credit for any time already served on the term of supervised release prior to Defendant's violation of those conditions.

It is further understood that the Court may require Defendant to pay restitution in this matter in accordance with applicable law. Defendant further understands that Defendant is liable to make restitution for the full amount of the loss determined by the Court, to include relevant conduct, which amount is not limited to the count of conviction. Defendant further understands that if the Court orders Defendant to pay restitution, restitution payments cannot be made to the victim directly but must be made to the Clerk of Court, Southern District of Mississippi.

3. Determination of Sentencing Guidelines. It is further understood that the United States Sentencing Guidelines are advisory only and that Defendant and Defendant's attorney have discussed the fact that the Court must review the Guidelines in reaching a decision as to the appropriate sentence in this case, but the Court may impose a sentence other than that

indicated by the Guidelines if the Court finds that another sentence would be more appropriate. Defendant specifically acknowledges that Defendant is not relying upon anyone's calculation of a particular Guideline range for the offense to which Defendant is entering this plea. Defendant recognizes that the Court will make the final determination of the sentence and that Defendant may be sentenced up to the maximum penalties set forth above.

4. Breach of This Agreement and Further Crimes. It is further understood that should Defendant fail or refuse as to any part of the Plea Agreement or Plea Supplement, or if the Defendant commits any further crimes, then, at its discretion, the U.S. Attorney may treat such conduct as a breach of this Plea Agreement, and Defendant's breach shall be considered sufficient grounds for the pursuit of any prosecutions which the U.S. Attorney has not sought as a result of this Plea Agreement, including any such prosecutions that might have been dismissed or otherwise barred by the Double Jeopardy Clause, and any federal criminal violation of which this office has knowledge.

5. Financial Obligations. It is further understood and specifically agreed to by Defendant that, at the time of the execution of this document or at the time the plea is entered, Defendant will then and there pay over the special assessment of \$100.00 per count required by Title 18, United States Code, Section 3013, to the Office of the United States District Court Clerk. Defendant shall thereafter produce proof of payment to the U.S. Attorney or the U.S. Probation Office. If the Defendant is adjudged to be indigent, payment of the special assessment at the time the plea is entered is waived, but Defendant agrees that it may be made payable first from any funds available to Defendant while Defendant is incarcerated. Defendant understands and agrees that pursuant to Title 18, United States Code, Section 3613, whatever monetary penalties are imposed by the Court will be due and payable immediately and subject to immediate enforcement by the United States as provided in Section 3613. Furthermore, Defendant agrees to complete a Department of Justice Financial Statement no later than within seven days of the date the guilty plea is entered and provide same to the undersigned AUSA. Defendant also agrees to provide all of Defendant's financial information the Probation Office and, if requested, to participate in a pre-sentencing debtor's examination. If the Court imposes a schedule of payments, Defendant understands that the schedule of payments is merely a minimum schedule of payments and not the only method, nor a limitation on the methods, available to the United States to enforce the judgment. If Defendant is incarcerated, Defendant agrees to participate in the Bureau of Prisons' Inmate Financial Responsibility Program regardless of whether the Court specifically directs participation or imposes a schedule of payments. Defendant understands and agrees that Defendant shall participate in the Treasury Offset Program until any and all monetary penalties are satisfied and paid in full by Defendant.

6. Transferring and Liquidating Assets. Defendant understands and agrees that Defendant is prohibited from transferring or liquidating any and all assets held or owned by Defendant as of the date this Plea Agreement is signed. Defendant must obtain prior written approval from the U.S. Attorney's Financial Litigation Unit prior to the transfer or liquidation of any and all assets after this Plea Agreement is signed and if Defendant fails to do so the Defendant understands and agrees that an unapproved transfer or liquidation of any asset shall be deemed a fraudulent transfer or liquidation.

7. Future Direct Contact With Defendant. Defendant and Defendant's attorney acknowledge that if forfeiture, restitution, a fine, or special assessment or any combination of

forfeiture, restitution, fine, and special assessment is ordered in Defendant's case that this will require regular contact with Defendant during any period of incarceration, probation, and supervised release. Further, Defendant and Defendant's attorney understand that it is essential that defense counsel contact the U.S. Attorney's Financial Litigation Unit immediately after sentencing in this case to confirm in writing whether defense counsel will continue to represent Defendant in this case and in matters involving the collection of the financial obligations imposed by the Court. If the U.S. Attorney does not receive any written acknowledgment from defense counsel within two weeks from the date of the entry of Judgment in this case, the U.S. Attorney will presume that defense counsel no longer represents Defendant and the Financial Litigation Unit will communicate directly with Defendant regarding collection of the financial obligations imposed by the Court. Defendant and Defendant's attorney understand and agree that such direct contact with Defendant shall not be deemed an improper *ex parte* contact with Defendant if defense counsel fails to notify the U.S. Attorney of any continued legal representation within two weeks after the date of entry of the Judgment in this case.

8. Waivers. Defendant, knowing and understanding all of the matters aforesaid, including the maximum possible penalty that could be imposed, and being advised of Defendant's rights to remain silent, to trial by jury, to subpoena witnesses on Defendant's own behalf, to confront the witnesses against Defendant, and to appeal the conviction and sentence, in exchange for the U.S. Attorney entering into this Plea Agreement and accompanying Plea Supplement, hereby expressly waives the following rights (except that Defendant reserves the right to raise ineffective assistance of counsel claims):

a. the right to appeal the conviction and sentence imposed in this case, or the manner in which that sentence was imposed, on the grounds set forth in Title 18, United States Code, Section 3742, or on any ground whatsoever, and

b. the right to contest the conviction and sentence or the manner in which the sentence was imposed in any post-conviction proceeding, including but not limited to a motion brought under Title 28, United States Code, Section 2255, and any type of proceeding claiming double jeopardy or excessive penalty as a result of any forfeiture ordered or to be ordered in this case, and

c. any right to seek attorney fees and/or costs under the "Hyde Amendment," Title 18, United States Code, Section 3006A, and the Defendant acknowledges that the government's position in the instant prosecution was not vexatious, frivolous, or in bad faith, and

d. all rights, whether asserted directly or by a representative, to request or receive from any department or agency of the United States any records pertaining to the investigation or prosecution of this case, including without limitation any records that may be sought by Defendant or by Defendant's representative under the Freedom of Information Act, set forth at Title 5, United States Code, Section 552, or the Privacy Act of 1974, at Title 5, United States Code, Section 552a.

e. Defendant further acknowledges and agrees that any factual issues regarding the sentencing will be resolved by the sentencing judge under a preponderance of the evidence standard, and Defendant waives any right to a jury determination of these

sentencing issues. Defendant further agrees that, in making its sentencing decision, the district court may consider any relevant evidence without regard to its admissibility under the rules of evidence applicable at trial.

f. The Defendant further agrees that pursuant to Section 1B1.3(a)(2), all conduct set forth in the indictment in Criminal Number 3:21-cr-0028 CWR-FKB will be considered relevant conduct for purposes of calculating the applicable sentencing guideline range, regardless of the charge to which the defendant enters a guilty plea.

g. Defendant further acknowledges that Defendant's attorney has advised Defendant of Defendant's rights under Federal Rule of Criminal Procedure 11(f) and Federal Rule of Evidence 410. Defendant knowingly and voluntarily waives these rights and agrees that such waiver becomes effective upon Defendant's signing of this Plea Agreement. Defendant agrees that this Plea Agreement and accompanying Plea Supplement, along with any and all factual statements made, adopted, or admitted by Defendant in any form or forum, including at Defendant's plea hearing, can be used against Defendant, without limitation, at any time in any proceeding, including at any trial in this case, should Defendant fail or refuse as to any part of this Plea Agreement and accompanying Plea Supplement and/or should Defendant commit any further crimes, regardless of whether this Plea Agreement and accompanying Plea Supplement have been accepted by the Court. Defendant specifically waives any objection—pursuant to Federal Rule of Criminal Procedure 11(f), Federal Rule of Evidence 410, or any other basis—to the use of any and all facts or information to which the Defendant admits or adopts in conjunction with this Plea Agreement or otherwise, including facts and information admitted or adopted by Defendant in open court during Defendant's plea hearing.

Defendant admits to being guilty of Monetary Transactions with the Proceeds of a Specified Unlawful Activity (wire fraud) in violation of 18 U.S.C. § 1957, as alleged in Count 21 of the Indictment.

Defendant waives these rights in exchange for the United States Attorney entering into this plea agreement and accompanying plea supplement.

9. Forfeiture

a. The defendant agrees, in an individual and any other capacity, to forfeit to the United States, voluntarily and immediately, any right, title, and interest to any property, real or personal, involved in the commission of the offense, in violation of 18 U.S.C. § 1957, or any property traceable to such property, pursuant to 18 U.S.C. § 982(a)(1)(A), and the provisions of 21 U.S.C. § 853.

The property subject to forfeiture includes, but is not limited to, the real property known as 1800 Sheffield Drive, Jackson, Mississippi 39211.

b. The defendant further agrees that forfeiture is independent of any assessment, fine, cost, restitution, or penalty that may be imposed by the Court. The defendant knowingly and voluntarily agrees to waive all constitutional, legal, and equitable

defenses to the forfeiture, including excessive fines under the Eighth Amendment to the United States Constitution. In addition, the defendant agrees to waive: any applicable time limits for administrative or judicial forfeiture proceedings, the requirements of Fed. R. Crim. P. 32.2 and 43(a), and any appeal of the forfeiture.

c. The defendant also agrees to fully and truthfully disclose the existence, nature and location of all assets in which the defendant has or had any direct or indirect financial interest or control, and any assets involved in the offense[s] of conviction. The defendant agrees to take all steps requested by the United States for the recovery and forfeiture of all assets identified by the United States as subject to forfeiture. This includes, but is not limited to, the timely delivery upon request of all necessary and appropriate documentation to deliver good and marketable title, consenting to all orders of forfeiture, and not contesting or impeding in any way with any criminal, civil or administrative forfeiture proceeding concerning the forfeiture.

10. Complete Agreement. It is further understood that this Plea Agreement and the Plea Supplement completely reflects all promises, agreements and conditions made by and between the United States Attorney's Office for the Southern District of Mississippi and Defendant.

Defendant and Defendant's attorney of record declare that the terms of this plea agreement have been:

1. READ BY OR TO DEFENDANT;
2. EXPLAINED TO DEFENDANT BY DEFENDANT'S ATTORNEY;
3. UNDERSTOOD BY DEFENDANT;
4. VOLUNTARILY ACCEPTED BY DEFENDANT; and
5. AGREED TO AND ACCEPTED BY DEFENDANT.

WITNESS OUR SIGNATURES, as set forth below.

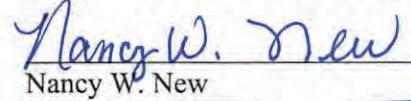
DARREN J. LAMARCA
United States Attorney



By David H. Fulcher
Assistant United States Attorney

4/20/22

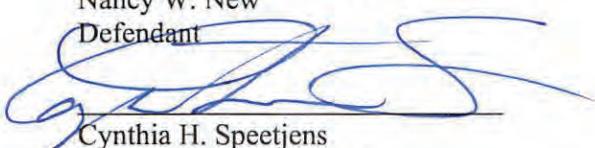
Date



Nancy W. New
Defendant

4-20-22

Date



Cynthia H. Speetjens
Attorney for Defendant

4-20-22

Date

EXHIBIT
45

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

STATE OF MISSISSIPPI

v.

NANCY NEW

CAUSE NO. 22-2-002

PETITION TO ENTER A PLEA OF GUILTY

THE DEFENDANT HEREIN, being duly sworn, stated in Open Court under oath that:

1. My full name is NANCY WHITTEN NEW. I am a Caucasian female born in Greenwood, Mississippi. I am 69 years old. My DOB July 29, 1952, and my SSN is XXX-XX-6020. My current address is 1800 Sheffield Drive, Jackson, Ms. 39211. I completed 12 years of education through high school, and nine years of post-graduate work. I am a United States citizen with no Immigration Number and no known FBI Number. I can read and write. I am mentally competent to make this Petition. I understand, should the plea of guilt herein tendered not be accepted and a trial follow, that admissions made herein or during any hearing on this petition would not be admissible against me at trial.
2. I am represented by Cynthia Speetjens, a licensed attorney in the State of Mississippi.
3. I hereby plead guilty to the charges of: Bribery of a Public Official (four counts), 2 Fraud Against the Government (two counts), and 6 Wire Fraud (five counts), RICO
4. I have told my lawyers all of the facts and circumstances known to me about the charges asserted in the Information and the prior indictment. I believe that my lawyers are fully informed on all such matters. My lawyers have advised me of the nature of the charges and the possible defenses that I may have to the charges.
5. I understand that I may plead "NOT GUILTY" and may persist in that plea and that the Constitution guarantees me (a) the right to a speedy and public trial by jury, (b) the right to see, hear and cross examine all witnesses called to testify, (c) the right to use the power and process of the Court to compel the production of evidence, including the attendance of any witnesses in my favor, (d) the right to have the presence and the assistance of a lawyer at all stages of the trial and any appeal, (e) the right to challenge the composition of the Grand Jury, which indicted me, (f) the right to testify in my own defense, (g) the right to a jury verdict of all twelve jurors before I could be found guilty.
6. I understand that if I do not have the funds to employ an attorney, the Court will appoint an attorney to represent me; that I do not have to testify against myself; that if I should be convicted after a jury trial, I would have absolute right to an appeal to the Mississippi Supreme

Court with assistance of counsel, and at no cost to me should I be determined to be financially unable to pay for same. I understand that by pleading guilty I am admitting that I did commit the crimes charged in the Information and that I am waiving all of the rights set forth in paragraph number five (5) of this Petition.

7. At the time of the crime referred to herein, I was not, and at this time I am not, under the influence of drugs, nor alcohol, nor suffering from any mental disease.

8. I declare that no officer or agent of any branch of government, nor any other person has made any promise or inducement of any kind to me, or within my knowledge to anyone else, that I will receive a lighter sentence, probation, early release, or any other form of leniency if I plead "GUILTY." I have not been beaten, threatened, mentally or physically forced, intimidated or coerced in any manner to plead guilty to the crime charged against me. I offer my plea of "GUILTY" freely and voluntarily and of my own accord and with full understanding of all the matters set forth in the indictment herein and in the Petition, and this plea is with the advice and sent of my lawyer.

9. My lawyer has informed as to the maximum and minimum punishment which the law provides of the offenses charged in the Information. The punishment which the Court may impose for the crimes with which I am charged is as follows:

CHARGE	MAXIMUM	MINIMUM
Count 11 - Bribery of a Public Official	10 years/\$5k	0 years
Count 12 - Bribery of a Public Official	10 years/\$5k	0 years
Count 13 - Bribery of a Public Official	10 years/\$5k	0 years
Count 14 - Bribery of a Public Official	10 years/\$5k	0 years
Count 27 - Fraud Against the Government	5 years/\$10k	0 years
Count 28 - Fraud Against the Government	5 years/\$10k	0 years
Count 33 - Wire Fraud	5 years/\$10k	0 years
Count 34 - Wire Fraud	5 years/\$10k	0 years
Count 35 - Wire Fraud	5 years/\$10k	0 years
Count 36 - Wire Fraud	5 years/\$10k	0 years
Count 37 - Wire Fraud	5 years/\$10k	0 years
Count 38 - Wire Fraud	5 years/ \$10k	0 years
Count 45 - RICO	20 years/\$ 25k	0 years

10. If no agreement has been reached with regard to a recommended sentence as a result of so-called "plea-bargaining," I understand neither my attorney nor any other person can represent to me that I will receive any particular sentence if I plead guilty. The final decision as to the sentence rests with the Court.

11. If as a result of "plea-bargaining," my attorney and I have reached an agreement with the District Attorney's Office concerning my offer to plead guilty to the charges listed in

paragraph three (3), it is my understanding that the District Attorney will recommend to the Court that I receive a sentence as follows:

Counts 11,12,13,14

Ten (10) years in the custody of the Mississippi Department of Correction, with seven (7) years of that sentence to be suspended, leaving three (3) years of that sentence to be served. Upon the defendant's release from custody, he will be required to serve five (5) years supervised probation with the specific condition that he pay restitution as calculated by the Mississippi Department of Corrections based upon the amount of restitution listed below. Each sentence in Counts 11, 12, 13, and 14 will run consecutive with each other, consecutive to the sentences in counts 27 and 28, and concurrent with the sentences in counts 33, 34 and 35, 36 and 37.

Counts 27, 28

Five (5) years in the custody of the Mississippi Department of Corrections, with all five (5) years of that sentence to be served. Upon the defendant's release from custody, he will be required to serve five (5) years supervised probation, with the specific condition that he pay restitution as calculated by the Mississippi Department of Corrections based upon the amount of restitution listed below. Each sentence in Counts 27 and 28 will run concurrent to each other, consecutive with sentences in Counts 11, 12, 13, and 14, and concurrent with the sentences in counts 33,34,35,36,37,38 and 45.

Counts 33,34,35,36,37 and 38

Five (5) years in the custody of the Mississippi Department of Corrections, with all five (5) years of that sentence to be suspended. Upon the defendant's release from custody, she will be required to serve five (5) years supervised probation, with the specific condition that he pay restitution as calculated by the Mississippi Department of Corrections based upon the amount of restitution listed below. Each sentence in Counts 33, 34, 35, 36 37 and 38 will run concurrent with each other and concurrent with the sentences in counts 11 12 13 14 27 and 28 45.

Count 45

Ten years in the custody of the Mississippi Department of Corrections with all ten years to be suspended. Upon the Defendant's release from custody, se will be required to serve five (5) years supervised probation, upon the terms and conditions as the Court deems appropriate, with the specific condition that she pay restitution calculated by the Mississippi Department of Corrections based upon the amount of restitution listed in the plea offer. The sentence in Count 45 will run concurrently with the sentences imposed in Counts 11, 12, 13, 14, 27, 28, 33, 34, 35, 36, 37 and 38. The sentence in Count 45 will run concurrently with the sentences in count 11,12,13,14, 27, 28, 33, 34, 35, 36, 37 and 38.

Upon filing of the Petition, all counts in Cause No. 25C1: 22-cr-00003-EFP will be dismissed.

I understand the cumulative recommended sentences of the plea offer made by the State is a recommended ninety-year year sentence with seventeen (25) years of that sentence to be served. I understand that under the plea agreement I will fully cooperate with the State in the prosecution of my Co-Defendants and that I will provide truthful testimony against my Co-Defendants. I understand that the State will recommend that the Court withhold sentencing in this Cause until after I am sentenced in Criminal Cause Number 3:21-cr-00028-CWR-FKB in the United States District Court for the Southern District of Mississippi. I understand that the State will recommend that all of the State sentences will run concurrently with my Federal sentence in Criminal Cause Number 3:21-cr-00028-CWR-FKB. It has been negotiated between myself and that State all of the time I will serve incarcerated will be served in the Federal prison system.

Towards that end, the State's recommended sentence concerning all of the time to serve in this Cause is equal to or slightly less than the minimum time I will serve incarcerated in the Federal prison system in Criminal Cause Number 3:21-cr-00028-CWR-FKB. In the unlikely event that at the time of my Federal sentencing in Criminal Cause Number 3:21-cr-00028-CWR-FKB, I actually receive a Federal sentence requiring me to serve less prison time than the State sentences herein, so long as such Federal sentence is not a wholly probationary sentence, the State has agreed that on the date of sentencing in the within Cause that it will amend its recommendation regarding the State prison time required in this agreement to be equal to my Federal sentence such that all of the time I will be required to serve in prison will be served in the Federal prison system. Additionally, The State will recommend that I pay restitution in the amount of \$3,656,000.00.

I understand that if I am sentenced for an armed robbery or attempted armed robbery, by displaying a deadly weapon, I will not be eligible for parole. I understand that if I am sentenced as a habitual criminal, I will not be eligible for parole. I understand that if I am sentenced for a sex crime, I will not be eligible for parole. I understand that if I am sentenced after July 1, 1995, for any crime, I may not be eligible for parole.

12. I understand that if I am not eligible for parole, I will not receive "good time credits." I also understand that "earned time" or "good time credits" will not be applied to reduce my parole eligibility date. I understand that this Court has no control over the giving of earned time and good time. I understand that this process is governed by the Mississippi Department of Corrections as provided by statute.

13. My lawyer has counseled and assisted me, and I am satisfied with the advice and help he has given me.

14. My lawyer advises me that the elements of the charge(s) to which I am pleading guilty are as follows:

Bribery of a Public Official, Miss. Code Ann. 97-11-53. Any person who (a) directly or indirectly offers, promises, gives or agrees to give to any public official or his spouse any money,

property, or other tangible or intangible thing of value as an inducement or incentive for (a) the awarding of refusal to award a contract...; or (c) the accomplishment of any official act or purpose involving public funds or public trust shall be guilty of Bribery of a Public Official.

Fraud Against the Government, Miss. Code Ann. 97-7-10. Whoever (a) with intent to defraud the state or any department, agency, office, board, commission, county, municipality or other subdivision of state or local government, (b) knowingly and willfully falsifies, conceals or covers up by trick, scheme or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be guilty of Fraud Against the Government.

Wire Fraud, Miss. Code Ann. 97-19-83. Whoever (a) having devised or intending to devise any scheme or artifice to defraud, or for obtaining money, property or services, or for unlawfully avoiding the payment or loss of money, property or services, or for securing business or personal advantage (b) by means of false or fraudulent pretenses, representations or promises ... (c) for the purpose of executing such scheme or artifice or attempting to do so, (d) transmits or causes to be transmitted by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter (e) across the country or state jurisdictional lines, shall be guilty of Wire Fraud.

I submit the following facts which I state to be true, and feel that all of the above elements are proven by these facts:

Count 11 – Bribery of a Public Official

On or about March 23, 2017, Zachary New and Nancy New, while acting in concert with and/or aiding, abetting, assisting, or encouraging Nancy New, John Davis and others, did wrongfully agree to give John Davis, Executive Director of Mississippi Department of Human Services, and two of his senior executives, at their request, and for their own personal use, personal property, to wit: an “off the books” black GMC Yukon SUV, which was not procured through the normal channels at MDHS, but which was paid for, in whole or in part, using limited purpose grant funds, said transaction being an inducement or incentive to John Davis and these MDHS executives for awarding grant funds to Mississippi Community Education Center in violation of Miss. Code Ann. 97-11-53.

Count 12 – Bribery of a Public Official

On or about September 1, 2017, Zachary New and Nancy New, while acting in concert with and/or aiding, abetting, assisting, or encouraging Nancy New and John Davis, Director of the Mississippi Department of Human Services, did hire Brett DiBiase, the then Director of Transformational Change at Mississippi Department of Human Services, and pay DiBiase an annual salary of \$250,000.00, and a “travel allowance” for the purpose of traveling with John Davis, despite knowing that Brett DiBiase was unqualified to perform the services for which he was hired, and despite knowing that this use of public limited purpose funds was a violation of the

terms and conditions of the grants. Brett DiBiase was hired and paid a “travel allowance” to travel with John Davis as an inducement or incentive to John Davis for awarding grant funds to Mississippi Community Education Center in violation of Miss. Code Ann. 97-11-53.

Count 13 – Bribery of a Public Official

On or about and between February 2019 and June 2019, Zachary New and Nancy New, while acting in concert with and/or aiding, abetting, assisting, or encouraging John Davis and others, and at the request of John Davis, Director of the Mississippi Department of Human Services, did wrongfully provide or allow to be provided to John Davis unrestricted access to, and use of, Mississippi Community Education Center’s American Express Card, which was paid, in whole or in part, using limited purpose grant funds, and which John Davis used to charge, or caused to be charged, first class airfare and luxury hotel accommodations for himself and Brett DiBiase, an inducement or incentive for awarding grant funds to Mississippi Community Education Center in violation of Miss. Code Ann. 97-11-53.

Count 14 – Bribery of a Public Official

In 2017, Zachary New and Nancy New, while acting in concert with and/or aiding, abetting, assisting, or encouraging Nancy New, John Davis and others, and at the request of John Davis, Director of the Mississippi Department of Human Services, did knowingly hire Austin Smith, John Davis’ nephew, using, in whole or in part, limited purpose grant funds, despite knowing that Austin Smith was unqualified to perform the services for which he was hired, and despite knowing that use of public limited purpose funds in this manner was a violation of the terms and conditions of the limited use grants. Austin Smith was hired as an inducement or incentive to John Davis for awarding grant funds to Mississippi Community Education Center in violation of Miss. Code Ann. 97-11-53.

Count 27 – Fraud Against the Government

In or around August 2018, Zachary New and Nancy New, while acting in concert with and/or aiding, abetting, assisting, or encouraging Nancy New, John Davis and others, and at the direction of John Davis and others, participated in a scheme to defraud the State of Mississippi by knowingly transferring or causing to be transferred \$1,200,000.00 in limited use grant funds to Victory Sports Foundation, a company known by Zachary New, John Davis and others to be ineligible to receive such grant funds for the purposes for which they were provided, in violation of Miss. Code Ann. 97-7-10.

Count 28 – Fraud Against the Government

On or about September, 2018, Nancy New, while acting in concert with and/or aiding, abetting, assisting or encouraging John Davis and others known and unknown to the Grand Jury, and at the direction of John Davis did knowingly pay \$365,000.00 for a Virtual Reality program, using, in whole or in part, limited purpose grants, despite knowing that the expenditure was an

ineligible use of grant funds for the purposes for which they were provided, in violation of Miss. Code Ann. 97-1-10.

Count 33—Wire Fraud

On or about April 8, 2019, Zachary New and Nancy New, while acting in concert with and/or aiding, abetting and assisting Nancy New, John Davis and others, and at their direction, participated in a scheme to defraud the State of Mississippi by transmitting or causing to be transmitted \$500,000.00 in limited purpose grant funds from a bank account owned by Mississippi Community Education Center to a bank account owned by New Learning Resources Inc. and then across county and state jurisdictional lines to a bank account owned by Prevacus, Inc., a company in Florida known to be ineligible to receive such public grant funds, for purposes not allowed pursuant to the limited purpose grants from which the funds originated, in violation of Miss. Code Ann. 97-19-83.

Count 34 – Wire Fraud

On or about May 10, 2019, Zachary New and Nancy New, while acting in concert with and/or aiding, abetting and assisting Nancy New, John Davis and others, and at their direction, participated in a scheme to defraud the State of Mississippi by transmitting or causing to be transmitted \$250,000.00 in limited purpose grant funds from a bank account owned by Mississippi Community Education Center to a bank account owned by New Learning Resources, Inc. and then across county and state jurisdictional lines to a bank account owned by Prevacus, Inc., a company in Florida known to be ineligible to receive such public grant funds, for purposes not allowed pursuant to the limited purpose grants from which the funds originated, in violation of Miss. Code Ann. 97-19-83.

Count 35 – Wire Fraud

On or about July 16, 2019, Zachary New and Nancy New, while acting in concert with and/or aiding, abetting and assisting Nancy New, John Davis and others, and at their direction, participated in a scheme to defraud the State of Mississippi by transmitting or causing to be transmitted \$400,000.00 of limited purpose grant funds from a bank account owned by Mississippi Community Education Center across county or state jurisdictional lines into an account owned by Prevacus, Inc., a company in Florida known to be ineligible to receive such public grant funds, in violation of Miss. Code Ann. 97-19-83.

Count 36 – Wire Fraud

On or about September July 2018, Nancy New, while acting in concert with and/or aiding, abetting, assisting or encouraging John Davis and others known and unknown to the Grand Jury, at the request of John Davis, Director of the Mississippi Department of Human Services, did knowingly pay Jesse Pearce the costs of a lease for the purpose of providing a venue for his personal training business by using, in whole or in part, limited purpose grant funds, despite

knowing that the expenditure was an ineligible use of grant funds for the purposes for which they were provided, I violation of Miss. Code Ann. 97-7-10.

Count 37 – Wire Fraud

On or about March 2019, Nancy New, while acting in concert with, and/or aiding, abetting, assisting or encouraging John Davis and others known and unknown to the Grand Jury, at the direction of John Davis, Director of the Mississippi Department of Human Services, did knowingly provide Three Thousand (\$3,000.00) cash to John Davis, at the direction of John Davis, to be used by the said John Davis as incentive to participants of a promotional seminar to enroll in a program known as Law of 16, by using, in whole or in part, limited purpose grant funds, despite knowing that the expenditure was an ineligible use of grant funds for the purposes for which they were provided, in violation of Miss. Code Ann. 97-7-10.

Count 38 – Wire Fraud

On or about June 4, 2019, Nancy New, while acting in concert with, and/or aiding, abetting, assisting or encouraging John Davis and others known and unknown to the Grand Jury, at the direction of John Davis, Executive Director of the Mississippi Department of Human Services, did knowingly provide approximately Forty Thousand (\$40,000.00) Dollars to be used for the purchase of children's books from another to be given away, despite knowing that the expenditure was an ineligible use of grant funds for the purposes for which they were provided, in violation of Miss. Code Ann. 97-7-10.

Count 45 – RICO

On or about and between September 1, 2018 and February 4, 2020, Nancy New, while acting in concert with and/or aiding and abetting and assisting John Davis and others known and unknown to the Grand Jury, did conduct, organize, supervise or manage, directly or indirectly, an association of two (2) or more persons who engaged in the conduct of were associated for the purpose of effectuating the transfer or sale of services or information acting as a subgrantee for TANF funds granted to the State of Mississippi and its Department of Human Services that had a pecuniary value that causes a loss to a victim, being the State of Mississippi and its Department of Human Services, and which conduct, organization, supervision, or management involved the fraud enterprise engaging in repeated violations of MS Code 97-19-83, by transmitting money obtained by criminal fraud and forgery across state lines to RISE MALIBU in California on numerous occasions in violation of MS Code 97-43.3.1.

Therefore, I am guilty and ask the Court to accept my plea of guilty.

15. I understand that I am presenting this Petition under Oath and under penalty of perjury for any false statements contained herein. I have not been encouraged by any person to answer falsely any question in this Petition in order4 to have this plea accepted.

16. I understand that my plea of guilty may be withdrawn at any time during a hearing on this Petition prior to the acceptance of the plea by the Court.

17. I have not previously been convicted of any felonies.

Signed by me in the presence of my lawyer, this the 22nd day of April, 2022.

Nancy M. New
DEFENDANT

STATE OF MISSISSIPPI
COUNTY OF HINDS

SWORN TO AND SUBSCRIBED BEFORE ME, this the 22nd day of April 2022

MY COMMISSION EXPIRES:

December 19, 2024

Laura R. Ondra

NOTARY PUBLIC



As attorney for NANCY WHITTEN NEW, I certify that I have on the above date, discussed all the contents of the foregoing petition with said defendant, and I am satisfied that Defendant fully understands same and that the defendant executes said Petition knowingly and voluntarily.

/s/ Cynthia H. Speetjens

ATTORNEY FOR DEFENDANT

EXHIBIT 46

STATE OF MISSISSIPPI



JIM HOOD
ATTORNEY GENERAL

UNIVERSITIES
DIVISION

STEPHANIE L. GANUCHEAU
SPECIAL ASSISTANT ATTORNEY GENERAL

MEMORANDUM

TO: Dr. John Pearce, Associate Commissioner of Finance and Administration

FROM: Stephanie L. Ganuchea, Special Assistant Attorney General *JK*

DATE: October 9, 2017

RE: USM Amended and Restated Lease with USM Athletic Foundation

Pursuant to your request, I have reviewed the proposed Amended and Restated Lease between the University of Southern Mississippi (USM) and the University of Southern Mississippi Athletic Foundation, for the construction of a wellness center and utilization of other under-utilized athletic space, and would make the following recommendation:

Recommendation: I recommend the attached lease for IHL Board approval.

Please let me know if you have any questions.

cc: Leigh Patterson
Van Gillespie

EXHIBIT 47

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT
OF HINDS COUNTY, MISSISSIPPI**

STATE OF MISSISSIPPI

PLAINTIFF

VS.

CAUSE NO. 22-0-238(1-20)

JOHN DAVIS

ORDER OF NOLLE PROSEQUI

CAME THIS DAY to be heard the State's motion *ore tenus* to *nolle prosequi* the within Cause and Jamie McBride, Assistant District Attorney, having appeared on behalf of the State of Mississippi and the Court and being fully advised of the premises herein finds as follows:

1. On February 4, 2020, the Defendant, John Davis, was indicted by a Hinds County Grand Jury in a five count indictment alleging that he committed the crimes of Conspiracy, three counts, and Fraud in Public Office, one count, and Making False Statements, one count, in the within Cause.

2. On March 25, 2022, the Defendant, John Davis was re-indicted by a Hinds County Grand Jury, in a superceding Indictment, in Hinds County Cause Nos. 22-0-238(1-20).

3. The State and Defense have announced that a global plea resolution has been reached between the State, the federal authorities and the Defendant, John Davis, whereby the Defendant, John Davis has agreed to fully cooperate, including providing truthful testimony at trial, with the State and all federal authorities in the prosecution of any and all additional criminally charged defendants, in State or Federal Court, for the criminal misuse of Federal TANF grant funds, State of Mississippi Funds, Mississippi Community of Education Center funds or any other funds available to or through the Mississippi Department of Human Services during his tenure as the Executive Director of the Mississippi Department of Human Services. The State and the Defense have advised the Court that pursuant to the global plea resolution, all parties have agreed that the Defendant, John Davis will serve all of his incarcerated time in the custody of the Federal Bureau of Prisons.

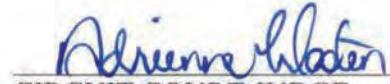
4. On September 21, 2022 the United States unsealed an indictment against the Defendant, John Davis, alleging the felony crimes of Conspiracy and Theft from Programs Receiving Federal Funds, in violation of 18 U.S.C 371 and 18 U.S.C. 666. The State and the Defense have advised the Court that the Defendant, John Davis will enter guilty pleas to the federal charges, with a recommendation on the morning of September 22, 2022, in the United States District Court for the Southern District of Mississippi.

5. The State and the Defense has announced to the Court that a plea agreement has been reached between the State and the Defendant, John Davis, whereby the Defendant, John Davis, will enter a guilty plea to five counts of Conspiracy and thirteen counts of Fraud Against the Government, in violation of Section 97-1-1 and 97-7-10 of the Mississippi Code Ann., with a recommendation from the State. The plea in State Court will occur be by way of a Bill of Information and is scheduled to take place before this Court on September 22, 2022, subsequent to the Defendant's federal guilty plea.

6. The State has advised the Court that in order to ensure that the Defendant, John Davis, is incarcerated on all of his charges in the custody of the Federal Bureau of Prisons it is necessary for the within Cause be dismissed and for the State to proceed on charges contained in a Bill of Information that is filed subsequent to the unsealing of the federal charges currently pending against the Defendant, John Davis, in the United States District Court for the Southern District of Mississippi, Cause Number 3:22CR1004.

THEREFORE IT IS ORDERED AND ADJUDGED that an Order of *Nolle Prosequi* without prejudice in the above styled cause be and hereby is entered.

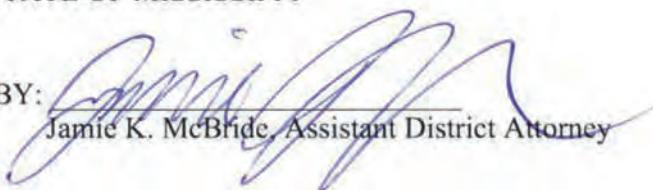
SO ORDERED, this the 21st day of September, 2022.


CIRCUIT COURT JUDGE

AGREED TO BY:

STATE OF MISSISSIPPI

BY:


Jamie K. McBride, Assistant District Attorney

JOHN DAVIS

BY:

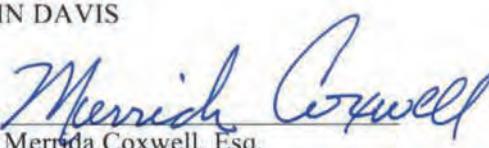

Merrida Coxwell, Esq.
Attorney for John Davis

EXHIBIT 48



Nancy



Jan 9, 2020, 11:36 AM

**Thought I would just
text instead of you
having to call. I can
imagine how busy
you are today and I
sincerely hate to
bother you with this
but there is no one at
DHS to ask. We
were recently told
that our new con-**



No SIM

12:53 PM

© 22%



Nancy

that our new contracts, effective Jan. 1 from DHS had been pulled back and no money would be dispersed. I don't have to know the reasoning behind that necessarily, but more importantly, my coworkers are trying to keep the family services going and in fact, they don't know



Message





Nancy

fact, they don't know that they are very close to losing their own jobs. Unfortunately, we are going to have to stop all of our services funded by DHS as we have exhausted all monies just trying to hold on. I will need to have my leadership lay off around 60-73 people. Also, we will



Message



No SIM

12:53 PM

22%



Nancy >

people. Also, we will need to start closing our family first centers across the state by next week. DHS already owes my organization a huge amount of reimbursement from the previous contract. I can't borrow any more money to hold on. So in saying all of this, would you check on the status of those



Message





Nancy

this, would you check
on the status of those
contracts under my
name (MCEC) being
executed with some
operational monies
soon? Thank you so
very much. N. New

Let me see what I can
find out..

Delivered



Tap to contact sender

